

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, October 3, 2006, at 7:00 p.m.

Present:

Philip Cardinale,	Supervisor
Edward Densieski,	Councilman
George Bartunek,	Councilman
Barbara Blass,	Councilwoman
John Dunleavy,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Supervisor Cardinale called the meeting to order.

Supervisor Cardinale: "-- town board and I'd like to begin with the Pledge of Allegiance which I would like Mitch to lead us in."

(At this time, the Pledge of Allegiance was recited, led by Mitch Friedman)

Supervisor Cardinale: "Okay, we'd like to approve the minutes of the September 19th meeting. Would someone move them and second, please."

Councilman Densieski: "So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, the minutes are approved."

Supervisor Cardinale: "Would you indicate to us the Reports, please?"

REPORTS:

Town Clerk	Monthly report for September total collected was \$13,872.54
Receiver of Taxes	Utility collections report for September, 2006 - total collected was \$478,120.94
Building Department	September monthly report - total collected \$85,905.00
Sewer District	Discharge monitoring report for August, 2006
	Budget summary for Wading River fire District
	Budget summary for Jamesport Fire District

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Applications, please."

APPLICATIONS:

Change of zone	East Riverhead Equities LLC change from Res. A-40 to Commercial/resident campus
	Dr. Miguel and Michelle Blanco change from Residential RA40 to Professional Business
Special events	East End Rowing - Oct. 21, 2006 - craft fair at Hallockville
	East End Rowing - Nov. 5, 2006 Snowflake regatta

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "And Correspondence, please."

CORRESPONDENCE:

Ray Maynard

Concerns regarding the
proposed rules and regulations
for the runway at Calverton

Cliff Polacek

Regarding the Pulte spot
zoning

Barbara Grattan: "That concludes Correspondence."

Supervisor Cardinale: "Okay, we have-- thank you, Barbara."

Barbara Grattan: "You're welcome."

Supervisor Cardinale: "Any announcements or committee reports
from the board members?"

Councilman Densieski: "Yes, Phil. I just want to remind
everybody out there that Saturday, October 20th is the STOP date at
Youngs Avenue for your pollutants and hazardous waste.

Also, tomorrow, Phil, I just learned this today, tomorrow at
11:00 in the morning at the Grumman Memorial Park in Calverton at
EPCAL, there's going to be the final flyover of the F-14. So if you
want to see an F-14 in the air, tomorrow is your last day to do it.
It's going to be approximately 11:00 in the morning, a couple of
minutes before, a couple minutes after but we were notified late, we
just got notified today, if you're available to go tomorrow, it's
going to be quite a sight."

Supervisor Cardinale: "Thank you. Any other committee reports,
announcements, comments."

Councilman Bartunek: "Is the STOP date the 20th or the 21st. I
think it's the 21st, that's a Saturday. Yeah, we have on the same
day-- that's the STOP cleanup, STOP throwing out pollutants, is on
October 21st, it's a Saturday."

Councilman Densieski: "It's 8:30 to 3."

Councilman Bartunek: "At the old landfill. And on the same day we have the Anti-litter cleanup. The committee is hosting again another town-wide litter cleanup October 21st, again, Saturday, 9 to 12. A very short span of time. We're meeting at the Elks Lodge at 9 o'clock. Coffee, orange juice and there will be some raffling of prizes given out after that.

And on Sunday, October 29th, the Animal Shelter Advisory Committee is hosting a fund raiser at Martha Clara Vineyard from 4:00 p.m. to 7:00 p.m. Wine, food, music, raffles and I just am lucky enough to have a few tickets left if anybody (inaudible). Anybody who is interested, they can show up in my office and I'll discuss the price."

Supervisor Cardinale: "Thank you. We have a number of public hearings. We also have two that were carried over from last week because we realized once we started the hearings in Wading River on the South Jamesport Historic District proposal and on the Jamesport Hamlet Historic District proposal, that we could be any farther as the paper put it from the place involved than Wading River, so we carried it over to this week so that we could hear from any people that could not make it the last two weeks ago.

So, I know there are a few people out there. I would like to open the verbal testimony again on the Jamesport, South Jamesport and the Jamesport Hamlet Historic District proposals. I don't see Richard Wines here, he's the head of the Commission- Landmark Commission but I have his phone number so if anybody wants to talk to him, we'll get you that.

So if anybody has a comment, please come up. Yes, sir. Is there a member of the Landmark Commission here? Okay. Go ahead, please."

Nick Calabria: "Nick Calabria, 1739 Main Road. My comments are strictly for the Jamesport Hamlet and I had a meeting with Mr. Wines after our last town board meeting in reference to restructuring the district that he wants to make a hamlet out of because I met with the majority of my neighbors and on the east end of the town, there is eight or nine houses that are all going to be non-contributory as far as any historical district would be and wanting to know why we are considering continuing to keep these into the district when there is no historical value or significance to any of these houses that are being proposed to being put into the district.

Unfortunately I got in late and was unable to get home. I've got

about six or seven letters from the neighbors stating the fact that they are also interested in being part of this district and have no real upside for us as non-contributory members.

The conversation I had with Mr. Wines was that we would not be eligible for any grant money or anything other than the additional hassle for any construction or any changes to the exterior of the houses, that we would have to go through an additional process.

So I would really like you people to consider to restructure and move the boundaries of this Jamesport Hamlet back to where there are historical houses because once you get past (inaudible) Lane, there is no historical houses in that area."

Supervisor Cardinale: "Yes, Barbara, you have a comment?"

Councilwoman Blass: "Could I just clarify? The modification to the boundary line, was that- you're suggesting only on the northern portion of 25- "

Nick Calabria: "North and south."

Councilwoman Blass: "Was it on the south as well- okay. I think there were nine structures that were involved. Is that--"

Nick Calabria: "That's correct."

Councilwoman Blass: "Okay. And they are on the north- "

Nick Calabria: "They are north and south."

Councilwoman Blass: "Okay."

Nick Calabria: "Okay. Because we're going west of Rocco's house and over at the Zinos (phonetic) houses and west of that because everything after that with the exception of the farmhouse which at this point I'm not going to get in to whether it is still historical or not with all the reconstruction and the changes to the building at this time. That is something that the Historical District will have to look at and see if it's eligible for it being an individual historical house rather than an envelope, all of these additional houses into that area. And I think that, if you're going to make a historical district, have historical houses in it and not fill it just for the boundaries and saying that we have a quarter of a mile strip or a half mile strip of houses that are in that historical district.

And that's basically my concern at this point in terms of why we're adding-- for all these non-contributing houses, why we're adding that extra level of government, to have to go to the Historical Society for any structure changes.

And I think that as we go along and add these historical sections, it's going to demand more of town government and eventually some of these things will end up being a special district to offset the extra manpower that needs to look at all of the building and historical society's demands and stuff like that.

And I think that the problem comes into that I am very specifically aware because I'm involved in this is that a couple had purchased a three story building in a historical area, not in this town, with the idea of using the first and second level as a B&B and the third as their unmarried businesswoman's daughter, that she would reside in it. Because it was in a historical district, they wouldn't and they're still not allowing a fire escape to be put on the building so that the third story could be used. So there's litigation going on this and I think that this is another area that the town doesn't need to get involved in on a questionable historic house. Okay?"

Supervisor Cardinale: "Thank you."

Nick Calabria: "Thank you."

Supervisor Cardinale: "Is there anyone else that would like to comment on the Jamesport Hamlet or South Jamesport Historic District? Yes, sir."

Ed Meyer: "Hi. My name is Ed Meyer and I'm from South Jamesport. I ask everyone to bear with me a little. I'm probably the most worst public speaker in this room and the second worst reader and I'm going to read most of this. I wish that Mr. Wines was here because some of the question I had were actually directed to him and they're not here and most of my comments are on the paper they gave us last week, these frequently asked questions about the historic district. So, here we go.

I think the Landmark Preservation Committee has a noble stated goal of protecting and preserving old homes and buildings in our town. I'm also in favor of this. However, I'm not convinced that a historic district as outlined in Chapter 73 of the town code is a fair way to

achieve this goal.

I believe it places an unfair burden on property owners within the boundaries of the historic district and may possibly lead to higher taxes as well. Which I was going to ask him about because he's not here.

So let me just go on to the comments about their fact here. The first one was about the principal advantage of the historic district, I wanted him-- the advantages-- which I wanted him to just describe to me, but he's not here.

What are the biggest disadvantages of a historic district, that's their question. Their answer was Chapter 73 of the town code imposes additional review obligations on property owners in that a historic district, when they apply for a building permit involving exterior alterations or demolition. My comment is, it sure does. And it's available on line or you can get a copy of it here. It's only a few pages and it's pretty to understand. Everyone affected by this district really should read it to understand what's being imposed on you. It's not, as they say, you know, nothing. It's something. It's considerable, I think.

The next question in the fact was will the review by the Commission add delays in obtaining a building permit? And the comment is it shouldn't. And my comment is this assumes that everything is approved by the Commission. It's possible and likely that a plan that would be permitted by the building department will be modified or not approved by the Commission and this will either cause delays or may result in the project not being built at all. And I think that's very likely. So I think it shouldn't is kind of misleading.

The next two questions in their fact was is new construction allowed in the district? Can I build a modern style house on my empty lot? And the resounding answer is yes and then, of course, if it's compatible. So then you have to go to the code really to get the principle of compatibility. And I'm going to ask you to just sit still while I read it for a second.

It's on page 4H - okay, the principle of compatibility. In applying the principle of compatibility the Commission shall consider the following factors, the general design, character and appropriateness of the property of the proposed new construction. The scale of the proposed alteration or new construction in relation to the property itself and surrounding properties. The texture,

materials and color and their relation to similar features and other properties in the neighborhood.

So my comment on that is other than the general design, the scale, the texture, material and the color, you can build whatever you want. Okay.

This question is very simple. It says will I have to get permission to paint my front door? Their answer to us is no, the rules do not cover paint cover. My comment is I'm not sure if that's a true statement because as I read Chapter 73 of the town code, page 4-J, and I'm going to read it.

It starts out saying nothing in this article shall be construed to prevent ordinary maintenance or repair with like materials of similar quality and color anyplace in the district. So color does seem to matter if it's different from the color that you already have, unless I am reading that wrong. So- all right, I'm almost done.

I think South Jamesport is a beautiful community and it's evolved into what it is today over the last couple centuries. It's changed really very little since I moved here in 1978 and all this was without a historic district. There's very little property there that you can do a lot with. I think it's pretty much good on its own.

I just want to state for the record that I'm totally against the formation of a historic district in South Jamesport. I ask the board to please not impose this on the homeowners in South Jamesport. I'm asking only for the same rights and privileges that you all and other homeowners in our town are afforded.

Thank you."

Supervisor Cardinale: "Thank you. Thank you. Is there a further comment in regard to this proposal for South Jamesport or Hamlet of Jamesport Historic District??"

Mike Kajewski: "Hi. Just a quick question. There was- "

Barbara Grattan: "Your name, please?"

Mike Kajewski: "Mike Kajewski. I live on Main Road, Jamesport. Are we going to be able to opt out? There was a question at the last meeting, it seemed like you guys were thinking about resetting the boundaries on the Historic District. I know for myself and neighbors,

we are against it. I don't want to go into any big dragged out- "

Supervisor Cardinale: "I know that is being considered, a change in the boundaries, so this may have to be reheard if that happens. But I got an email to that effect."

Mike Kajewski: "Is it something that's going to be voted on tonight?"

Supervisor Cardinale: "No."

Mike Kajewski: "No. Okay, thank you."

Supervisor Cardinale: "Any other comment in regard to the South Jamesport or Hamlet of Jamesport Historic District? Yes. Please come up."

Harold Griffiths: "My name is Harold Griffiths. I own a building in the center of the Hamlet that probably would be considered historic. It's the- I guess the Hawkins- not Hawkins, Hawkins owned it, (inaudible) owned it, I own it, a deli. I have no intentions of changing it. It's a beautiful building, I'm very proud of it, but I don't want my rights taken away whether I can change it down the road.

I mean it's an investment that I have for my future and I don't want more hurdles to jump through to try and change or get anywhere with it.

This a public hearing, I think it's pretty important that the Landmark Commission that I would have to go in front of can't even show up for the meeting tonight. I mean it just shows why we don't need a Commission in charge that's not elected, you know, not stopping my rights, but, you know, they're my rights. I bought the building, there was no restrictions then, I don't want to see any more.

Thank you.

Oh, and I'm sorry, one other thing. As far as the AGL (phonetic) being in favor of the project. The AGL really isn't in formation anymore so I don't know how they can be in favor of something when they don't exist except on paper. So- "

Supervisor Cardinale: "Thank you. Any other comment from anyone? If not, we appreciate- oh, there's one other comment, please."

Georgette Keller: "Georgette Keller, 6th Street, South Jamesport. My residence lies directly between the two proposed districts. We were hoping that there would be a third proposed district this time.

I may be in the minority here tonight in feeling that it is the right move for Riverhead to consider at this time. Main Road is connected to Route 58 and there's been a swift push east on this island and Riverhead has felt it with the explosion of population.

Now I have only been a permanent resident, full time, for the town of Riverhead— in the town of Riverhead for five years. But I have lived in other areas where there are historic districts. Some of them can be quite cumbersome. Riverhead's as I've read it and as I've discussed it with the Landmarks Preservation Commission is quite lenient and they've also really presented themselves as being quite accommodating to the needs of the residents of this town.

I think that the town needs to consider a certain number of things including an added layer of protection from unwarranted development especially those proposals that exceed the master plan. We live in a town where we also have a Board of Appeals who grants many variances that don't make sense according to the new master plan that we have spent millions of dollars to implement.

Now I fell in love with this town when I first visited it 20 years ago and when I married my husband and I moved here to New York, we made our home here first in the summer and then permanently and it's where I've chosen to raise my children.

In Jamesport, we've already had the threat of the (inaudible) Enterprises Lakeview whole project of 160 condos and tens of thousands of square feet of commercial space. The town code doesn't allow for it but you don't know whether it's sacred. The historic district would help to protect the character that we all love about the hamlet that we live in.

From the standpoint of holding value on the past teaches or children to have value on the future where they live. Now most of us teach that to our children on a regular basis and it would just become another layer of institutionalizing the way of life for Riverhead that exists. To say that Riverhead hasn't changed much since 1978, even South Jamesport has. We have a huge house that is an albatross compared to the houses that surround it and the entire neighborhood on the waterfront there. We have only two remaining now undeveloped

parcels there. That wasn't the case in 1978. My family has been paying taxes on our property since 1976 and I see a lot of change.

We still have the Hamlet substantially intact the way it's been for the last 20 years and I really think that it should be considered further. I mean there have been several public open meetings and forums for questions and answers and discourse on this and I have been at almost every one of them and there's never been more than 15 people there and now all of a sudden it just seems like there's an awful lot of negative reception to the idea. And I think that's shame.

I think that if there are those that have reservations, that should be explored further. Maybe the boundary shouldn't be as far east as it is. I don't know. But we certainly want to protect the gems and the jewels of Jebediah Hawkins.

I mean I'm not always pleased with the extra traffic that that house draws now being a restaurant and a B&B but it's a small price to pay to have such a significant structure salvaged. It's also why I stood behind the restoration of the Manor Inn before we lost it to fire and I think that we ought to take the steps to save ourselves before it becomes too late.

Towns like the town of Southold have taken those actions and they are pretty well preserved. And I haven't met anyone including a few attorneys that I know along Main Road who have homes and businesses and buildings in the historic district, they're able to make the changes that they need where it's not so cumbersome that it doesn't get done. And their historic district rules are more severe than ours.

Also, once you create a historic district, it attracts like minded people that come there because they've fallen in love with the place and they know that it is stable then. And that's why it increases property value.

Some of my family lives on Nantucket, you want to talk about historic preservation and people are willing to pay through the nose just to spend a week there in the summer and it's because that charm has been preserved. If they hadn't done it when they did, who knows what would be there now?

And most of the coastal areas on the east coast have had to face this question. So, if there seems to be a lot of negative sentiment, I think it really needs to be explored further because it needs to be

a community effort.

And I also implore those homeowners who do have an historic or historically significant structure, that if there is no historic district, to get yourself landmarked and the structure preserved."

Supervisor Cardinale: "Thank you."

Councilman Densieski: "Miss Keller- I just wanted to say one thing. I disagree with your assessment of the Zoning Board of Appeals. You didn't cite any particular cases but basically you slighted them. I personally think they are a hard working board--"

Georgette Keller: "Well, we have zoning, you know, for one acre now and there was a parcel that borders on Green Street and Willow Street, it's the last example in South Jamesport right now, and it got split to substandard lots to build two homes instead of one."

Councilman Densieski: "Okay. But I'm sure it was based on the testimony given. I just want to say I disagree with-- "

Georgette Keller: "And well, what's been happening with the old Lebanon Chemical factory property and that Mr. Simoza (phonetic) was given a minor subdivision almost five years ago and now he's come back to subdivide another lot which essentially gives him a major subdivision with two minor subdivisions if it goes through and it's gone back and forth and back and forth. But that the Planning Board says okay, fine, you can have a subdivision if the Zoning Board of Appeals gives you your variances. They gave them their variances but now he's changed his survey, he has to start again.

So there are examples where people from outside the town of Riverhead, they are taxpayers, they are property owners, but they don't live here. They are operating a business by coming in and earning income off of spec building and then when they get their variances and they build the extra houses, they go to the bank and they cash the check when they sell the house. We never see them again but we have to live with what was left behind.

Now, you know, the attorneys will stand up here for their clients and cite all these substandard lots like this in South Jamesport. My property happens to be one of them that is smaller than an acre but when I built my house, it was a buildable lot and I didn't need a variance to build it because I didn't build a house that was so large that I couldn't fit within the parameters of what the town code called

for.

And I really think that we have to consider that with the area now coming to full build-out. We have the oldest Congregational-- the oldest church there, it's the oldest Congregational Church in the state of New York. It's not only significant to us and its history of how it was built, but it probably also would score to be on the National Register.

And I think that it's time for the people of our community to say we want that structure to stay and to do some community action organization to help to save it. And this would be just one step. It is a landmark. It needs a preservation foundation. And when we start this move to actually save the buildings that are significant, that's the less that we'll lose to fire like we did with the Manor Inn. I mean it was almost saved and we still lost that battle."

Supervisor Cardinale: "Thank you."

Georgette Keller: "I mean we do have cases of the ZBA downsizing from the current town code. So I think if we have an outer-layer of protection from that, that can only work out in the end. But it has to be a preservation code that the people can live with. So if there are sections of it that are not clear that need to be made more clear before it takes place, then so be it."

Supervisor Cardinale: "Thank you very much. Yes, Tom, we do have a member actually of the Landmark Commission in the room, Tom Sledjeski. So there is a representative. Do you have a comment?"

Tom Sledjeski: "Yes. Tom Sledjeski, I'm here for the Landmarks Preservation Commission. I did expect Mr. Wines to be here and I must say I've heard the people speak and I'd be glad to address most of their questions out in the hallway. I do not want to belabor all the issues.

But I would like to dispel some of the myths and fears that I've heard tonight, the first of which is people's taxes going up. Our recommendations and the formation of a historic district does not in any way, shape or form affect taxes. We do not set taxes; we do not select equalization rates; we do not encourage taxes to go up.

As a matter of fact, under federal tax law and newly enacted state tax regulations, there are some significant tax advantages which are available for not just commercial enterprises but also landmarks

which are nationally registered landmarks and the like.

We feel this is an important and proper position to take to ensure the continuity and efficacy of the community. There are various examples of landmarks and historical districts without and within the state- shining jewels of redevelopment and which have helped any number of communities.

Several places, Saratoga Springs comes to mind particularly, Saratoga Springs was a downtrodden town until the historic district was created. There are others as well. Corning is another one. But there are any number of benefits to be realized. We are not here to be the people of no, I've heard that, and I understand people's concerns.

But there is a bilateral review which is done. We have a timeframe within which we have to complete our review and there is also a potential for a review on a hardship basis to the town board if for some reason people disagree with our assessment. We are looking to work with people not against them. And anybody who feels otherwise I'd be glad to have an opportunity to speak with them out in the hall right now.

We've had numerous meetings within the Hamlet itself and, quite frankly, based upon the last public hearing that was held back in Wading River, there are certainly a lot of expressions of concern that were felt regarding the eastern portion of the hamlet district and we'd be willing to review that and withdraw that. If people are really not interested, we really don't want to include it.

We felt that it was a proper continuity that could be developed by bringing it out to the district location which we proposed and I still feel it's appropriate, but if people are still not interested, maybe we were wrong and we're willing to listen.

And that's all I ask for is people's time to talk to me in the hall if they want and certainly have an opportunity to speak to us at any time. We've invited them to our own meetings. There have been prior hearings held within the communities and it's a great opportunity to have an open forum to discuss this.

Thank you very much."

Supervisor Cardinale: "When is the next Landmarks Preservation Commission?"

Tom Sledjeski: "The next meeting is scheduled- it's the fourth Monday of the month which would be I believe October 23, 4:00 p.m., right in this room. So I invite anyone to come who has comments, questions, opinions. We're open to listen to people, we really area. And that's what we're all about."

Supervisor Cardinale: "Thank you. And I would encourage anyone who has a little time now to speak to Mr. Sledjeski outside and get any of your answers addressed- questions addressed. Yes."

Is there anyone else who would like to make a comment? If there is not, I am going to leave this open for a week until a week from today for written comment and then close this hearing and we'll deliberate what we're going to do. We may have another hearing depending on the board's position. We'll discuss it at the work session this Thursday and next Thursday once it's been closed."

Left open for written comment for
one week

Public hearing opened: 7:35 p.m.

Supervisor Cardinale: "Okay. We do have five hearings this evening. The first at 7:05, it being 7:35, we can open that. It's an extension of water district known as Extension No. 87 Demchuk Estates. Is there a representative here? Yeah, there is. Dennis Kelleher of H2M, Gary Pendizck of the Water District and they are going to present. What happened to your elbow, Gary? You all right? I want an able bodied guy. Well, I'm sorry for your injury and, Dennis, do you want to take it away?"

Dennis Kelleher: "Yes. My name is Dennis Kelleher from the engineering firm of H2M. We are the engineers for the Riverhead Water District."

The developer of the proposed subdivision has petitioned the town board to extend- or to provide public water to the proposed subdivision. The proposed subdivision known as Demchuk Estates is mostly located in the Riverhead Water District. However, a portion of it is not inside the formal boundaries of the Riverhead Water District so this public hearing tonight is really two fold. One is to- for the town board to evaluate and to approve the extension of the Riverhead Water District boundaries to include the entire subdivision, and also

to provide public water to the subdivision.

The subdivision known as Demchuk Estates is located on the north side of Riley Avenue at the intersection of Twomey Avenue. On the proposed- on the map highlighted in green is the entire extension. Shaded in- if you took a look at the top left hand side, shaded in yellow is lot No. 10 which is the lot that is not in the Riverhead Water District. So that's what we're talking about, to bring that in to the Riverhead Water District.

To provide public water to this site, we will need to install approximately 1,050 linear feet of eight inch and twelve inch water main and tie it into the existing water main on Riley Avenue and Donna Drive.

Highlighted in pink is the 1,050 feet of proposed water main. Highlighted in blue is the existing water main in the area.

The proposed subdivision is a 10 lot single family home subdivision. The estimated water use for this subdivision would be 3,000 gallons per day on an average day and 9,000 gallons per day on a peak summer day.

The Riverhead Water District is continuing to increase its pumpage capacity and will have sufficient capacity to provide the needs of this community plus the rest of the Riverhead Water District.

The estimated cost to provide water to this subdivision is \$86,000 which includes construction costs, engineering design, inspection, legal and contingencies. This entire cost will be paid by the developer.

In addition to that, there is a key money fee imposed by the Riverhead Water District of \$2,500 per single family home which will be a total for this subdivision of \$25,000. This fee goes to make the improvements of the Riverhead Water District to improve the capacity of the district and to maintain the existing facilities to provide water for the community.

Thank you."

Supervisor Cardinale: "Thank you Dennis. Is there anyone in the audience who would like to comment upon this proposal to extend for the purposes indicated the Water District?"

Councilman Dunleavy: "Could I just ask a question? What side of Riley Avenue is this on? Riley and Twomey intersection."

Dennis Kelleher: "The north side. So looking at it- "

Councilman Dunleavy: "The north side- northwest side?"

Dennis Kelleher: "The northwest side."

Councilman Dunleavy: "Across the street from the school."

Dennis Kelleher: "That's correct."

Supervisor Cardinale: "Any other comment, question, observation? If not, I will- it being 7:40, I will close the hearing, leave it open-- for verbal testimony, leave it open for one week for any written testimony that occurs to anyone."

Public hearing closed: 7:40 p.m.
Left open for 10 days for written
comment

Supervisor Cardinale: "And ask that the 7:25 hearing for the consideration of a local law to amend Chapter 108- no, I'm sorry, 7:10, the proposed petition of a lateral water main to service the new proposed development to be known as Fedun Estates, Calverton be opened. So it being 7:41, we're open."

Public hearing opened: 7:41 p.m.

Supervisor Cardinale: "You're going to do this one as well, Dennis?"

Dennis Kelleher: "Correct."

Supervisor Cardinale: "Fire away."

Dennis Kelleher: "Again, Dennis Kelleher, H2M the consulting engineers for the Riverhead Water District.

The developer has petitioned the town board to provide water from the Riverhead Water District to the proposed subdivision. This proposed subdivision is already located within the Riverhead Water

District boundaries entirely. So we're only talking about providing water to this proposed subdivision.

The subdivision is located again on the north side of Riley Avenue in Calverton. Again, this is just to the west of the previous subdivision that we're talking about.

The subdivision is going to consist of 28 single family homes. To provide water to the site, we would need to install 2,800 linear feet of eight inch and twelve inch water main.

Again, on the proposed map, highlighted in green is the subdivision boundary line. Highlighted in blue are the existing water main on Gordon Blvd. and Donna Drive and also O'Reilly on the right hand side.

Highlighted in pink is the 2,800 feet of new water main that is necessary for this project.

We estimate the water use for this proposed subdivision at 8,400 gallons per day on an average day and 25,200 gallons per day on a peak summer day.

Again the district- the Riverhead Water District is continuing to look at methods to increase their water capacity to make sure we have sufficient water to provide for this subdivision plus the future needs of the Riverhead Water District.

The estimated cost of providing water to this subdivision is \$192,000. Again, this includes the construction cost, the design, inspection, administration, legal and contingencies. This entire cost will be paid by the developer.

In addition to that, we have the key money costs of \$2,500 per single family home, and nothing that we have 28 proposed single family homes, total key money cost would be \$70,000. Again, this money will be used by the Riverhead Water District to improve the capacity of the water system and to maintain their existing facilities.

Thank you."

Supervisor Cardinale: "Thank you, Dennis. Is there any comment from anyone in regards to this proposed lateral water main service for a proposed new subdivision?"

Councilman Dunleavy: "Dennis, is this directly across from Riley Avenue School or just north of it?"

Dennis Kelleher: "I think it is just- "

Councilman Dunleavy: "Or east of it, I mean."

Dennis Kelleher: "East of it."

Councilman Dunleavy: "Just east of it."

Supervisor Cardinale: "Okay. Any other questions, comments, observations? If not, I will- it being 7:45 call this hearing closed except for written testimony which will be accepted for the next week."

Public hearing closed: 7:45 p.m.
Left open for written comment for
one week

Public hearing opened: 7:45 p.m.

Supervisor Cardinale: "And move to the hearing scheduled for 7:25 for consideration of a local law to amend Chapter 108 of the town code Article XIII Supplementary Use Regulations Section 108-64 Prefabricated dwellings. And I believe, Dawn, if you can confirm this, this is simply correcting an old section by adding a correct new section?"

Dawn Thomas: "That's correct. Yes."

Supervisor Cardinale: "It's a reference to a section- so it's a technical change that we have to go through a hearing on anyway, putting in a new section number. It used to be 108-21C, it's now 108-64. Anyone want to comment on this? That's good. It establishes you do have a life. So it being 7:45, I'm going to declare this closed, and just for the fun of it, leave it open for a week for anybody that could imagine a written comment on this."

Councilman Dunleavy: "Can I just ask you about this?"

Supervisor Cardinale: "I knew you were going to come up with something. Go ahead."

Councilman Dunleavy: "We're just changing the section on this. This prefabricated dwellings section should be looked at because we have more prefabricated houses built on regular lots and sometimes they supersede the structure in our codes, they handle the state codes. So I think this whole section should be looked at."

Supervisor Cardinale: "Is this- thank you, Dawn, does this section still require review by the ZBA, all prefabs? I think we changed, that, didn't we?"

Dawn Thomas: (Inaudible)

Supervisor Cardinale: "All right. That was something that we thought about doing. If we haven't done it, we ought to do it with the new- with so many improvements in prefab. In fact, there's an article on the front page of the New York Times this weekend, some guy was building a million dollar prefab house. Yeah."

Councilman Dunleavy: "A lot of them are built very well."

Supervisor Cardinale: "Yeah. Okay, that is the 7:25 hearing. If there is no further comment or question, we will close it, leaving it open as I mentioned for one week for questions."

Public hearing closed: 7:45 p.m.
Left open for one week for written
comment

Public hearing opened: 7:46 p.m.

Supervisor Cardinale: "And begin the hearing that is scheduled for 7:30, it being 7:46, for the consideration of a local law providing for use of the runway at Calverton Executive Airpark, otherwise known as the 10,000 foot runway.

The- these are the proposed rules and regulations which we have not- we had hoped to pass last year, we never got to it, we're now getting to it and we are prepared to take comment on the proposed rules and regulations from anyone who wishes to comment. Sir, why don't you come on up and start it off?"

Tom Knights: "Tom Knights, and I'm an employee of South Bay Apparel, 4062 Grumman Blvd. Calverton and I'd just like to talk a

little bit about the proposed law and to be specific the traffic pattern.

As proposed, the traffic pattern that is going to be in the law will require the aircraft to fly to the west of the field. The number one thing, I'm a private pilot and I'm the one that holds the runway use permit for South Bay. As a private pilot, one of the biggest and most important things that we do when we fly is to be conscious of safety. Safety is very important. By putting the traffic on the west side of the field with Sky Dive operations coming at the same time, you have airplanes mixing with skydivers which is not really— not a good thing. You can end up with an accident and that wouldn't be good for the community.

If you move the traffic pattern to the east side now you have the Sky Dive operation that will still continue on the west side, the traffic on the east can now see what's going on in the west, and then there would be no conflict and, therefore, avoiding any kind of you know accident situation.

Second thing with the traffic pattern being on the west side having to do with noise, if you took a look at where the housing development is in Wading River, when you come in and enter the traffic pattern on the west side and you're using runway 3-2 which lands to the north, you would be coming over the housing development as you're coming in to land. So you would be at a thousand feet above the ground and you're going to be over houses.

You can move it to the east side of the field, there's no houses, there's nothing there, everybody's going to be happy. So as far as that goes, I would recommend you make that change.

The next thing that I'd like to talk about is the requirement that there be no intersection takeoffs on the runway. What that is is on the runway, it's 10,000 feet at 2,000 feet on either end and then in the middle a 5,000 feet, there's an opportunity to get onto the runway and with a small plane, you can take off right from there. I believe the reason why the town doesn't or the proposal is the way it is, is back when Grumman was there with F-16s, if they were to take off in the middle of the runway, you know, it would be super loud, you get over the houses, it's going to be an issue.

When you're talking about a small (inaudible) airplane that weights 2600 pounds, the far regulations from the federal government require that the plane be no louder than 82 decibels. If you take a

look at- compare that to a lawn mower at 90, a circular saw at 100 decibels, there's really no noise problem with taking off in the middle of the runway."

Supervisor Cardinale: "Thank you."

Tom Knights: "That's pretty much it. Thank you."

Supervisor Cardinale: "We'd like to take further comment from anyone who wishes to comment. Yes, sir, please come up."

Curt Collinger: "Hi. My name is Curt Collinger (phonetic). I'm from Patchogue. I'm not a pilot but I am a veteran of over 6,000 skydives. I want to address just the issue of a full runway takeoff. The 10,000 foot runway at Calverton is about five times longer than most aircraft need to take off.

Now the impact of that idea, I mean sounds like a great at first. Anybody who doesn't fly or lives in the area, make them take off on the full runway. This way when they come over the houses, they'll be so much higher that we won't hear them.

Well, the people who propose that, I don't think have given us any evidence, have demonstrated to us that that's going to be the truth. We have done some studies with a meter and the difference between taking off from a full runway and a half runway- a full runway takeoff and a half runway takeoff, with the aircraft that we use, a Caravan or a 207, came down to equal one decibel, almost immeasurable and almost virtually identical to a tractor trailer on Route 25.

It sounds like a good idea but it really doesn't equal anything. But what it does equal, it's going to equal a very big hardship for the business that operates out of Calverton. Skydiving operation alone, if a plan can taxi 50 miles an hour and we have to taxi over a mile, almost a mile and a half every load, at 60 miles an hour, that's a mile a minute-- at 50 miles an hour, so it takes us about five minutes extra per load, on Saturday and Sunday, we run 20 loads.

That will equal over an hour of operation time for us which in the end with five- say five tandems on the plan and five cameramen plus some fun jumpers, it's a hardship on the business of almost \$1500 per load the end of day. It's a substantial amount of penalty for something that is only a theory. I mean none of us would condone penalizing the hardware store owner because cars make noise coming up to this business, so we're going to fine him \$1,000 a day. It just-

it doesn't make a lot of sense when you really look at it.

Those facts are going to be made available to you later on but the- it's also a hardship on the 35 or 40 employees that work for Skydive Long Island who work per diem, per amount of work, you know, per jump they do. At the end of the day cutting three loads out, that winds up being pretty substantial.

There is a plethora of opportunity for Riverhead and Calverton Park for economic opportunity jobs and businesses and the way to attract them is not to put a restrictive rule such as a full runway takeoff on vehicles that are very expensive, engine hours are costly. If you know anything about aviation, the amount of time on the engines where they have to be broken down and repaired and rebuilt is exorbitant.

This sounds like a good idea, but actually it's really just a bunch of window dressing on the full runway takeoff so I wish you'd really take a look at some of the facts that we're going to give to you and think it over.

Thank you."

Councilman Dunleavy: "Can I ask you a question?"

Curt Collinger: "Surely."

Councilman Dunleavy: "The fuel costs for small business, that will increase also?"

Curt Collinger: "Well the fuel costs on the plane we use, I believe- I'm not a pilot as I said, but I believe it's about 10 gallons an hour that it will burn on a taxiway at \$4.50 a gallon, yeah, that would be exorbitant. But the amount of work we would lose at the day, if you add that up a weekend for a full year, it comes out to probably hundreds of thousands of dollars for a business that is, you know, it's a skydiving operation. Ray Maynard grew up on Long Island- he's been doing this- I've been working for him for 16 years. He's always tried to be a good neighbor, in noise abatement, taking off, hours of operation, I mean a lot of things he's always been community minded.

This is really going to hamstringing him and anybody else that wants to come into Calverton has got to think about this. These machines are very expensive to run. So- "

Councilwoman Blass: "May I ask you a question as well?"

Curt Collinger: "As long as it's not personal."

Councilwoman Blass: "No, it's not, sir. Would you have any reason to explain why the United States Department of Transportation issued an air traffic bulletin that basically discouraged intersection departures, the USDOT, in connection with the FAA? Because they identify intersection departures as the high level of risk that's associated with incursions that they're trying to minimize. They address it as a safety issue."

Curt Collinger: "There's probably pilots in the room that could answer that. I've got 6,000 skydives. I can fly a plane, I just can't land one, I always get out."

Councilwoman Blass: (Inaudible)

Curt Collinger: "I'm sure there's a pilot that could answer that."

Supervisor Cardinale: "Why don't you come to the-- so your voice is recorded."

Tom Knights: "Sure. What they're talking about there with the intersection departures is that at an airport like JFK or LaGuardia, Newark, where you're running hundreds and hundreds of takeoffs a day so the chance of-- the problem that happens if somebody comes to the intersection, there's a guy standing at the end, they both take off at the same time, you could have a collision.

You're talking about the operations we're doing at Calverton, you know, maybe 20, 30 operations a day, that situation isn't going to arise."

Councilman Dunleavy: "That's what I think. It's-- they're talking about the larger air-- where they have a lot of--"

Tom Knights: "Exactly. You're talking about 747's that kind of-- "

Councilman Dunleavy: "-- airplane operations back and forth across the runways and stuff like that."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Okay. Is there any other comments in regard to this proposed- these proposed rules and regs?"

Michael Noyes: "My name is Michael Noyes. I'm the chief of standardization evaluation of the 106 Rescue at Grapeski. In addition to being a 24 year military helicopter pilot, I'm also a civilian rated airline transport pilot and flight instructor.

Just a couple of things that I made note of when I saw these rules and regulations. If I could piggyback on what the gentleman said about the intersection takeoffs. There's another thing that you need to consider from that FAA and DOT message. They're primarily from a safety standpoint, they're primarily talking about smaller runways.

The average, and these are very general terms now, the average light general aviation airplane takes about 1500 feet to take off and clear the hypothetical 50 foot obstacle. Okay? You can see that if you're dealing with a 10,000 foot runway and you want an intersection takeoff at 5,000 feet, you've got all kinds of (inaudible). Lots of safety built in there so intersection takeoff halfway down a 10,000 foot runway from a safety standpoint, you're not losing anything.

Now if you have a 5,000 foot runway and you take off halfway down that, now you can see that you've just cut your safety margin in half dramatically. Okay? So an intersection takeoff on a 10,000 foot runway like you have at Calverton, not only is the noise impact going to be minimal, so is the safety impact. It's almost- there is no safety impact. Okay?

Traffic patterns. You have listed here 1,000 feet for small piston aircraft, 1500 feet- these are AGL altitudes now for large piston turbo prop and jet aircraft. These numbers are right out of the Federal Aviation regulations and the Airmen's Information manual. But one thing that you did not address is helicopters.

Now the FAR talks specifically about helicopters avoiding the flow of fixed wing aircraft. It's generally assumed in most airports with set procedures, will have helicopter altitudes in the traffic pattern anywhere from 600 to 800 feet AGL.

You might think about stipulating that. What that does obviously it separates vertically the different types of aircraft from each other."

Councilman Dunleavy: "What was that footage again? The feet?"

Michael Noyes: "The altitude?"

Councilman Dunleavy: "Yeah."

Michael Noyes: "Six hundred to- 800 to 600 AGL. Gross weight limits, 1,000 pounds. Now I understand that it seems to me what you're trying to do is limit the physical size of the aircraft that comes into Calverton. Okay, maybe, but I don't think so. All right.

I would offer you that a C-130 can come into Calverton at 100,000 pounds. It's not really going to be able to be very productive. Anybody who's working at that airport and needs to use that type of aircraft to haul equipment and so on, in or out. If you authorize 155,000 pounds, that makes that aircraft now more viable for the business that's working at the airport. Okay.

And if you're worried about additional noise and so on, there's no difference between a 100,000 pounds C-130 and a 155,000 pounds C-130. It doesn't make any more noise. It might need an extra 1,000 foot of runway to take off but on a 10,000 foot runway, that's negligible. The noise impact will be non-existent. Okay. There will not be an increase in the noise just by increasing the allowable weight."

Councilman Dunleavy: "How much runway do they use to take off?"

Michael Noyes: "I can't speak exactly- Mike (inaudible)."

(Inaudible comment)

Councilman Dunleavy: "So they use half the runway then."

Michael Noyes: "They would use half the runway. Avoiding the use of thrust reversers on landing. I think I understand what you're getting at there and that is again a reduction in noise after landing. I'm the first one to admit the thrust reversers make noise. But there's something you have to understand is that an aircraft with a thrust reverser whether it's a propeller driven aircraft or a jet aircraft that the braking system on that aircraft is not designed to stop it without those thrust reversers. So you really are directly impacting the safety of the operation of that aircraft by now allowing them to use thrust reversers. Okay.

Now does that mean they won't come in there? It might, it very well might. But then again someone might also turn around and say-- some operator might also turn around and say I can get in there, I'll be okay. I'll just slow down and then hope by brakes stop me at the end. Okay?

As far as the noise the thrust reversers make. It's for a very short period of time and it's actually less than on takeoff. Okay? So you're really not saving a whole lot there.

Prohibited activities, back taxiing. I know this might be a really minute point but you might think about adding on the runway. Okay?

The other thing that I noticed is that several times in this paper you reference noise sensitive areas but nowhere did I see a map saying where those are. I can tell you that as a military operator and I can feel free I think to speak for most commercial operators, if they know a specific area is noise sensitive, nobody has to tell them to stay away from it. They will stay away from it. Because we make every attempt to fly neighborly. Okay? So if we could know where those are, that would be very helpful."

Councilwoman Blass: "We intend to put together a brochure similar to what- "

Michael Noyes: "The one at Grebreski. Yes."

Councilwoman Blass: "-- at Grebreski that would identify those. This was just to get the text."

Michael Noyes: "If I could comment specifically on the helicopter procedures. Pilots approaching the airpark from the south runway 33 are to remain over the LIE- I'm sorry, 1.5 miles to the south of the approach end of the runway prior to turning final. That's a very long ways, all right. That, and I will tell you that there's an unofficial VFR transit corridor that pretty much follows the LIE.

And by that I mean a lot of corporate and commercial operators transiting from the city to the east will follow the LIE. If you have an unpublished jog so to speak in that, that could directly impact in a negative way safety because operators that are operating at Calverton are 1.5 miles to the south turning final, and an operator coming along the LIE doesn't know about that, so you're creating a

potential conflict there that I'm not really what you're gaining. Because the helicopter is going to stay at 600 feet until they get established on their approach angle anyway. So again I would just encourage you to think about that again. My recommendation would be just to tell them to fly over the LIE.

By the same token, approaching from the north to runway 1-4, 1.5 miles to the north of the approach end of the runway prior to turning final. This- I would encourage you just to say north of 25. It's very easy to see, it's a good ground reference, pilots like ground references because for obvious reasons. And there's a couple of times in here where you reference Route 25 as a turn point. I think it's in the fixed wing operations. It could be some consistency is all I'm recommending.

Arrival procedures. You talk about aircraft arriving runway 3-3 and 1-4 will use standard FAA recommended procedures for uncontrolled airports including communication and flying procedures as outlined in current FAA regulations including but not limited to FAR's - federal aviation regulations, and the aeronautical information manual. Those are the only two, just so you know. There's no advisory circulars to that effect.

Any questions of me?"

Councilman Densieski: "Yeah. The clerk needs to get your name and title again."

Michael Noyes: "Michael Noyes--"

Barbara Grattan: "How do you spell that?"

Michael Noyes: "N-O-Y-E-S."

Councilman Densieski: "And you're from Gabreski?"

Michael Noyes: "I'm the chief of standardization evaluation at the 106 rescue wing. Yes."

Councilman Densieski: "Okay. And how would one get a hold of you? Just calling Gabreski?"

Michael Noyes: "If you like, I can leave you a card."

Councilman Densieski: "I'd appreciate that. Thank you. Good

job."

Supervisor Cardinale: "Thank you."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Is there any other comment from anyone here? Yes, sir."

Stefan Amrally: "Good evening. My name is Stefan Amrally. I am from American Dynamics Corporation. We have recently moved to the airfield. We're a defense contractor and we have plans to expand (inaudible) and we have just been informed of the proposed regulations and there's a couple issues for us.

The restrictions on weight would make a big difference for us and have a huge impact on our mission and job. The other thing that we noticed that could be an issue for us is (inaudible) engine runs. Take off engine noise always exceed ground engine runs. So by allowing takeoff you always have- the takeoff noise from producing an engine will always exceed ground engine runs and ground engine runs for us are important to prepare the aircraft for shipping."

Supervisor Cardinale: "Can you tell me what company you're from again?"

Stefan Amrally: "American Dynamics Corporation."

Supervisor Cardinale: "American Dynamics. And you have- you are leasing property out there?"

Stefan Amrally: "Yes. We are."

Supervisor Cardinale: "But you have not yet applied for a runway use agreement?"

Stefan Amrally: "Not yet, no."

Supervisor Cardinale: "Okay, thank you. I'm sorry. Go ahead."

Stefan Amrally: "Also, hours of operations. Obviously 7:00 am to 11:00 pm will keep us in a little tight zone because a lot of equipment that we ship have classified nature and we always like the 4:00 am flight, 5:00 am flight. Preparation for pre-flight start at 5:00 am and usually we take off at first light or around 6:30 in the

morning wintertime, in the summer around 6:00 am. So that could also produce issue for us.

That's our current procedures as we do in New Jersey because that's where we operate our business out of. So I wanted to bring this to your attention."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Thank you."

Councilman Densieski: "Thank you. Welcome to EPCAL."

Supervisor Cardinale: "Thanks very much. And- Barbara, if we could get a contact point from that gentleman as well."

Councilman Dunleavy: "Let me ask- I want to ask- can he stop back up for a minute?"

Supervisor Cardinale: "Yeah. Okay, I encourage you-- "

Councilman Dunleavy: "Excuse me. What was his name? Can I ask you a question? What kind of a manufacturing do you do?"

Stefan Amrally: "Well, we manufacture components for unmanned aircrafts and the rather larger aircrafts. Some of the systems are somewhat classified so (inaudible)."

Councilman Dunleavy: "All right. But you're- you do the drones and stuff like that?"

Stefan Amrally: "(inaudible), that's correct."

Councilman Dunleavy: "Okay."

Supervisor Cardinale: "American Dynamics is a huge company, is it not?"

Stefan Amrally: "That's correct."

Supervisor Cardinale: "Thank you. Okay. I'd like to take any further comment from anyone who would like to comment. Go ahead, please."

Sandra Mott: "Sandra Mott, Riverhead. I think it would have

been extremely helpful if there was a map prior to the text so we knew exactly where these companies are located, where the flight paths are going to be located. It's a little hard to say anything yes or no, or if this is a great idea or not if we don't really— those of us who live here, the ones who live here need to know on a map where these flights are going in and out and how often and 11:00 at night I think is a little bit late to be flying anything. That's not normal business hours. I can see eight to eight, seven to seven but certainly not 11:00 at night. Where is the map? Let's skip the text until we have a map because it's very difficult.

I'm repeating myself because we do not know what you're talking about. And since we can't get out of here at that airport and it's only going to be— it's not going to be commercial, we can't hop on a plane and get the hell out of here if we wanted to.

I think it's really inappropriate to be making decisions and rules and regulations when those of us who are going to be suffering the consequences— we already deal with the racetrack that stops at eleven. Fat chance that things are going to stop. What are you going to do? Shoot it down if it goes off at 11:15? I don't think so.

So those of us who do live here and do elect you people to protect our circumstances need to put your map in order and then let the people know that this is the circumstances so we can come back and advise you as to how we feel truly."

Supervisor Cardinale: "Thank you."

Sandra Mott: "I don't think that that is asking too much and especially since everything thinks that this is going to be a hot thing and it's going to be growing and growing. So that means that it's not going to get any better, it's going to get worse if you don't do this right."

Councilman Dunleavy: "I think like Barbara said that there will be a map but we have to have this hearing so we can figure out where the landing patterns are going to be so we can make a map."

Sandra Mott: "Well, we need the map— "

Councilman Dunleavy: "Right now it's just too early to make a map because decisions haven't been made yet."

Sandra Mott: "Well, decisions might not have been made but we

need a map as to the residential communities and the circumstances as to distance and the last two- number of plane crashes were I think due to the fact that the runways were not long enough because the planes couldn't get lift on several instances, one in Los Angeles and it was like I think it was and then one I forget what part of the country.

Point of the fact is I don't care if it's commercial, I don't care if it's going to be just- and I'm really not too thrilled by helicopters going over my house at 11:00 at night. And I don't think your senior citizens who are moving into this big expensive condos and townhouses, etc. are going to be too happy to be listening to whatever going over their houses.

I'm always reading about Helga Guthy in the newspaper and she's not happy about them flying over on a Sunday morning. So if we're going to have to contend with this morning, noon and night, a map is required now. You take the area of- we have maps in the town. You just take it and block out where your paths are planning to be and the height- and I thought that's why these screens were put up so we would be able to see something visually, not a little scrunched up something and in this case we don't even have that.

Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Any further comment? Yes, sir, please come up and then the- Mike, if you would follow."

Rich Weinikowski: "Good evening. I'm Rich Weinikowski (phonetic). I'm president of the Calverton Executive Aviation Association. I was a former government inspector; I'm an airline transport pilot and an airplane and power plane mechanic.

I've looked at your rules and regulations and had some dialogue between some of the council members and quite frankly I found them to be fair. There are some changes that have been talked about by other people.

But one of the things that is concerning to me and should be the town is that there are- there's areas in the regulations that require or tell a pilot how to fly his airplane. In other words, when to bring his flaps up, when to do his propeller control, the prop

control, etc. Things like that.

And I think the town is opening itself up to liability issues by basically telling a pilot how to fly an airplane. And in the event that there may be an accident, this is something that when it goes to litigation it could cause the town a big problem.

There are some other areas that I'd like to talk about but that's the main one. And I had mentioned that there's a publication that's called the Airman's Information Manual and Federal Air Regulations. Those two publications have been published by the US government and they basically tell you how to operate an airport. Every possible function that can occur in aviation are in those manuals.

And one of the things that I would suggest that you mention in your rules and regulations that all pilots operating at the airport use those— operate via those publications. And what that will do is completely cover the town for any liability. Most of those regulations have been tried and proven in court on various litigation.

Being a government inspector, I've seen aircraft accidents, I've inspected airports and I'm very familiar with the operation of an airport so if you'd like to talk to me further on some of the procedures, I'd be glad to talk to you at another time.

If you have any questions, I'd be glad to try to answer them now."

Supervisor Cardinale: "Well, thank you. We would like to utilize some of the resources that have demonstrated themselves this evening. So if you could let Barbara know— if you have a card."

Rich Weinikowski: "I believe I gave Councilman Densieski a card."

Supervisor Cardinale: "Good. Then we have a contact number?"

Rich Weinikowski: "You have a contact number."

Supervisor Cardinale: "And I suspect that we will have another hearing in this matter before we pass the rules and regs."

Rich Weinikowski: "Good. And I have to say that there was a lot of good points in those regulations that you came up with and of course there are some mistakes, specifically the operation of aircraft

that I picked up myself which I can very easily point out to you.

Thank you very much."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Thank you. Is- Mike, I think you had a comment."

Mike Spindler: "Mike Spindler, Calverton. I'm here tonight to state my support for some basic and simple rules for aviation at Calverton. I believe these rules will help to accomplish four very important things. They're going to increase safety, reduce liability in the town, and help reduce the noise generated by aviation use.

It's also going to help create a positive image of aviation that has the support of the community. Very important to the communities involved in this.

I for one totally support high end corporate jet aviation at Calverton. That's where the money is, provided a few simple rules are in place. People often state that Grumman was such a good aviation neighbor. I know, I've been living out there for 26 years. That it was great when they were out there and it was. No one ever really complained about Grumman flight operations at Calverton. I never did, none of my neighbors did.

And I believe there was a reason for that. Grumman flight operations conformed to most of the rules that are being looked at tonight. Now I haven't seen this thing in entirety but just a little thing.

They use the buffer zone. The government bought this land for aviation safety, they used it. They never- I never, ever had an F-14, an A-6, A-6B, H-53 from (inaudible) fly over my house. Ever. They flew very disciplined approaches and maintained center line. They usually came in what they call a pitch out and came in to land. Very few if any touch and goes.

Keeping the traffic pattern over the facility, that's why nobody complained about it. They made left hand traffic headed north; made right hand traffic going south. They never flew over anybody's house. They flew over the facility.

They use full runway lanes for departures. Now I don't know this

for a fact. I used to watch them quite often and I was in the military for a certain period of time and I'm familiar somewhat familiar with fighter aircraft and they use full runway departures. Okay? For a number of reasons for them.

They avoid flying over noise sensitive areas and I guess there's going to be a map out where they're going to have routes and that's very common at airports to have a little guide for each airport showing you know no fly zones. And, of course, if you're losing an engine and you have to fly over someone's house to avoid crashing whatever, you're going to maybe fly over someone's house, but normal procedures avoid flying over these houses.

And there was no late night flight ops with Calverton. I can remember maybe once seeing an F-14 come in at night. And I loved watching those things. They were awesome. I'm not saying close the airport at 7:00 or 9:00, I get a lot of flack about this with my civic group and whatnot. Eleven o'clock I feel is pretty reasonable.

It is important to emphasize that these rules are not in place just to reduce noise. The town owns that runway. There's a liability factor here. It's not like you're indemnified to the FAA and you take FAA funds which is a whole other ball of wax.

Reduce noise, safety and liability are and should be a higher priority. Safety and liability should be a higher priority than noise. Absolutely. Safety being number one.

Landings and takeoffs are the most critical phases of flying. By restricting touch and go landings and multiple practice approaches, the operation becomes much safer thereby reducing liability. There's a reason for that. You don't want touch and go landings.

Radical environmentalists or NIMBY (phonetic) did not dream up these rules for aviators at Calverton. Much of what is contained in this document is from national business aviation associations' own procedures. Okay? This group represents business jet aviators from around the country. You know what their slogan is? Business jets take over the world? No. Quite flying is good business. That's their motto.

AOPA, the Airplane Owner's and Pilot's Association also support much of what is in this document. Go to their website, you will see some of the things that I see in this document on their website. It's right out of AOPA.

I don't believe these rules will deter aviation use at Calverton. They are quite common throughout the country at many airports and in fact much of what is contained in this document has recently been implemented at Gabreski. I'm referring to the NBAA procedures that they just implemented at Calverton- I mean at Gabreski. I think the Colonel will vouch for that.

They just gave out a whole thing about flying neighborly at Gabreski. They're dealing with it at East Hampton. Dealing with it at every airport across the- not every one- a lot of airports across the country. These are not radical procedures. They are suggested procedures. In other words, if you're having a hard time flying your airplane, you don't crash because you're trying to maintain the procedures. These are suggested procedures to fly neighborly. Okay?

Personally I personally have more problem with propeller driven aircraft than jets. Jets are quicker to arrive and depart the area and normally do not loiter in the area. I work at airports, okay, I see jets almost every day. They line up at the end of the runway, you know, give it the gas and away they go. They're gone. They're in and out of there quick. You don't take off and fly around in circles and drive everybody crazy. They're out of there.

I would like to see more of airplane owners and pilots association procedures regarding propeller noise control in this document, what I've seen. I haven't seen the whole thing. Maybe you have it in there. This is right out of there, right out of (inaudible).

Propellers generate more noise than engines and cause quite a nuisance. Flying with the lowest practical RPM setting will reduce the aircraft's noise levels substantially.

Practice descent to the runway at low power settings and with a few power changes as possible. In other words, you don't want some guy dive bombing in on the approach onto the field, you know, at the bottom he's pulling power back, adding power. It's a nightmare.

These are a few of ALPA's steps to reduce propeller noise. I can refer you to their document if you would like.

The Colonel mentioned this, I totally agree. Arrival and departure routes and altitudes for helicopters should be addressed in a local operational chart. Very simple. Don't be afraid of the helicopters, okay. They- there's plenty of room out there for them to

stay out of the way. They avoid the flow of fixed wing traffic. They have a separate landing area for them. They'll be fine.

I'd like- let me just refer to one thing, I know there were some things here. I personally have no idea why someone would come up here, I understand Sky Dive Long Island. He's a different story. But runway incursions. The reason why they would want, I believe, full runway length departures, they want to prevent runway incursions. Okay? This is use of the runway and a truck pulls out, another airplane pulls out, whatever. That runway is 10,000 feet long. It's two miles long.

You line up at the end of the runway, okay, now most airplanes, now these are people speaking here tonight, okay. These people have airplanes that take off. Sure. A Cessna Caravan, that thing can take off in I don't know what, 1,000 feet, or something, ridiculous. I mean those things are bush pilots basically, (inaudible). So they're very, very good at taking off at short field.

But this is not just for him. This is for- I mentioned this the other day to one of the people that I was flying with, they're coming out with these VLJ's very little jets or micro-jets, whatever you want to call them. Okay? Very light jets, whatever they are. The Wall Street Journal this weekend, they're coming, these are million dollar jets. You can buy a jet with two engines for like between a million and three million. I can see them coming to Calverton. I can see there being some traffic out there at Calverton. There's nothing wrong with doing a full runway length departure.

Now I do understand the concern with Sky Dive Long Island and I emphasize with that. But this is not about one person. This is about creating a facility for the future. Okay? Maybe you can make an exception for him. He's been based there, he flies there a lot. Maybe he'd be more aware of what's happening there.

But you just want to avoid an accident there. You want to avoid an accident at all costs. They just had an accident- I don't know who was it- it was in Indiana, a guy ended up on the wrong runway, went off the end of the runway, okay, these things do happen- "

(At this time, the CD ended)

Mike Spindler (Cont'd.): "The drop zone and the traffic pattern. Okay. I've been in the military like I say and we used to drop skydivers, I think the Colonel can vouch for this. When we drop

skydivers over Gabreski, we close the airport. There is no traffic pattern with people falling down from the sky. It doesn't matter whether left or right. Let's say if the wind changes. Now it's coming from the east and you've got to be on the west. Whatever.

The bottom line is there should be a no-- and a caution in this manual that the skydive operations are here, remain clear of the traffic pattern while skydivers are in the air or something like that. Deal with the Colonel on that, I'm sure he knows all about it.

You know, some way of setting that up where, you know, the traffic pattern is really not an issue. You don't have touch and goes, okay, so you're not going to have people going around in circles. Most of the guys are going to be doing straight ins. It's a minor infraction to do a straight in approach. But in reality, that's what they're going to do. They're not going to enter 45 on a downwind. I know a lot of guys that fly civilian and I asked them what they do because I fly helicopters and a lot of the guys just fly straight in.

Traffic pattern is really not a big issue with skydivers coming in. Just remain clear. I'm not going into a traffic pattern with skydivers in the air. Many times I have to (inaudible) Calverton. I go all the way around.

Thrust reversers. Suggested, it's not hurting anybody. I mean give it a little reverse, tap the brakes, you stop. Those little airplanes, 10,000 feet, they could probably roll out, roll out with the speed brakes up and the flaps down. Not a big issue. I don't know why anyone would object to that.

The Colonel mentioned about conflict to the south on the expressway. True, a lot of helicopter traffic going on there. What do you have to the north? You've got a VOR. You've got a VOR to the north. That's a buoy for airplanes to the north of Calverton. Okay? That's why it's important to keep the traffic down around Calverton. You won't have people going in and out.

When I flew-- we were on the helicopters back with the H-3, we could not go into Calverton. They would keep us out of there. Grumman would keep us out of there. We're in the Air Force. We're asking to go in there, can't come in today, come tomorrow. Okay? It was a very controlled environment. Not that way now. They have a VOR to the north, it's a buoy for airplanes, a lot of traffic going in and out of there. Regardless of what anybody tells you, not every pilot

is the sharpest tack in the box. There's people that don't call; there's people that don't look out; they're eating their lunch, whatever they're doing. Okay? So anyway.

I'd like to thank Supervisor Cardinale and the board for addressing the issues. I hope you evaluate the document for all concerned, community and aviators alike, and implement simple procedures that are common practice and accepted by the community when Grumman was there and are common practice in airports across the country."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Thank you, Mike. Any other comment? Yes, please come up."

Mark Houraney: "Hi. Mark Houraney. I want to comment the board for getting this done. It's great, it really is. It's way overdue. If there was ever a time machine, Riverhead's got one, that's for sure. But I'm really glad it's being done. I think they're good, you know, the changes that people talk about is good."

My only concern is that I did spend \$60,000 on GPS instrument approaches to that airport. They are official approaches. Whoever wrote these rules and regulations, I hope, you have to check with these approaches. Approaches are the way the FAA has designed and engineered planes to come in in bad weather. It's very important that your traffic patterns and rules and regulations aren't in conflict with those approaches. Very critical.

So you know, they're out there, they were engineered, they, you know the FAA actually flew those approaches for hours, okay, in jets and stuff and there was no phone calls or complaints from anybody.

But these were done. Engineer that took two and a half years, make sure that, you know, that your rules and regulations and traffic patterns don't conflict with that. Because that could be a problem because they take precedence.

And they're very valuable to the businesses out there as they allow the planes to land in any type of weather. Okay?

And for people like my friend, Sandra Mott, I just want you to know that my animal, my two cats and my two dogs, hate noise from airplanes. Okay? And I fly. So I just want you to know that back in

1993 and I told Councilman Dunleavy the FAA spent half a million dollars on a sound study for that airport and it is the best buffered and sound airport in the country. That's been documented. They spent a fortune.

The new planes coming out, they have all kinds of restrictions for noise. Every year, airplanes get quieter and quieter. They have to by law for the environment. Okay? F-14's, F-16's, they don't have to be quiet. So all I'm saying is I think everything will go smooth. I don't think you'll have complaints.

Yes, there will be some pilots to break the rules just like there is in anything and we'll just have to enforce them. But I just thank God this is finally done and I think the pilots will be good neighbors and we'll make sure they are because if they're not, it's a detriment to us as it puts us out of business.

Thanks."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Yes, Richard."

Richard Amper: "Fortunately I came for a question and not a comment. How in the judgment of this board will aviation at Calverton differ from what is permitted today if these are adopted?"

Supervisor Cardinale: "Would it differ if they were adopted? Well, we would expect that there would be an increase in aviation, it would be hard to have it decrease in view of the fact we only have one- two runway use agreements issued. So I'm looking for American Dynamics and others to come in and get them."

Richard Amper: "There would be more aviation?"

Supervisor Cardinale: "Yes, that's correct. That- no, as a result of the rules, I would expect it to be more attractive for aviation. That's one of the reasons I think it was a commitment the board made last year when we passed the zoning change and we're trying to fulfill that commitment by getting rules and regulations that will control traffic when that traffic gets here. Right now we have trouble enticing the traffic quite frankly. We hope that this will enhance that possibility."

Richard Amper: "Is there a demand on the town for increased

aviation or are you just encouraging it?"

Supervisor Cardinale: "We're- when we- I can speak for myself at least. We passed the zoning which made very clear that this was not an airport but was an air field which would serve as an appurtenance and an amenity to what will be now with the incubator site of 50 acres, the Grumman site of 500 acres, our new 600 acres, the largest industrial park in all of Long Island by three times.

That we wanted to have the runway as an amenity and an enhancement such as this gentleman here from American Dynamic wants it to be and if we're going to do that, we then need to set the rules to make sure that we protect those people who are around the airfield from unnecessary annoyance noise and the like."

Richard Amper: "I guess my question here though is, is there some need that we didn't have before the adoption of these that are going to be met that are going to help the town economically or in some other way, are there people who have come to the town and said, if you will adopt these rules, we can do something that can benefit the town that was not existent previously?"

Supervisor Cardinale: "I'm not sure I understand what you're asking, but- "

Richard Amper: "I'm saying, did somebody come to you and say if we adopt these regulations, Riverhead will benefit in some economic or other way as a result of those adoptions? Is there something that you anticipate is going to benefit the town by the adoption of these regulations?"

Supervisor Cardinale: "Yeah. I think it will make it- I'm surprised frankly by the dearth of applications in the last 16, 18 months for runway use agreements."

Richard Amper: "So you will see more if you adopt these?"

Supervisor Cardinale: "And I'm hopeful that we're going to see more from this. Furthermore, this is a commitment that among other people you've reminded me that I made and needed to fulfill. When we passed the zoning, we said that we would then move to the rules and regs and we've been distracted by some other things so we wanted to fulfill that commitment. But I would hope that this would lead to more runway use applications. Yes."

Richard Amper: "And more aviation at Calverton."

Supervisor Cardinale: "That's correct."

Richard Amper: "Thank you."

Councilwoman Blass: "I don't- I'm sorry, but I don't see that actual connection. I really don't. I see the difference between passing these or not is a question of safety. If and when increased aviation happens as a result of our zoning, we will be able to say to pilots this is how you could assist our community in that we have no crash rescue. For example, we would like you to follow these rules because it minimizes the town's liability, it helps you fit into the community in a sense of trying as best as possible to incorporate noise abatement procedures."

Councilman Dunleavy: "And it makes it safer."

Councilwoman Blass: "And it makes- exactly, it makes it safer. So I don't see the rules in and of themselves increasing aviation. I see us taking the necessary steps as responsible legislators to put rules in place that make sense in the event that aviation activity is increased. That's how I see it. So I don't see it working--"

Supervisor Cardinale: "As I said, it's difficult to speak for the board, but- "

Councilwoman Blass: "Well, I speak for myself."

Supervisor Cardinale: "-- one of the- so I spoke for myself as she did, but one of the things is that we're not getting a lot of runway use agreements because- and it occurs to me that the rules might inspire. Frankly, if there's rules, it inspires I would think greater interest because the people know what the rules are for the use of the runway they're going to be paying the town to have a right to use. So I think it enhances safety and I think it enhances the comfort level I would expect of the people using the runway. In any event, it's something we promised to do about 18 months ago."

Councilman Dunleavy: "Can I say something? And I think, too, as Calverton builds out as more and more uses or businesses come to Calverton, that runway is going to get more and more uses. You have to have rules and regulations or else you'll have chaos just like using the highways. You have to have rules on landing and takeoffs, the hours so you don't have people taking off at 2:00 in the morning

or landing at 2:00 in the morning.

And I think this just enhances— like the Supervisor said, this just enhances the saleability of the property out there. That we do have a runway, we do have rules and regulations for use of that runway for safety reasons like Barbara said."

Richard Amper: "I think increasing aviation uses is not something that the community is really looking to encourage but I think the safety issue absolutely justifies this and I agree wholeheartedly with Councilwoman Blass.

Thank you very much."

Supervisor Cardinale: "Okay. Yes, would you like to make comment? Sid, I actually wanted to get your comment right after the other comment from Sandra."

Sandra Mott: "I just want to add two things. One, is it true you're not going to have any kind of tower there to supervise and control the flights in and out?"

Councilwoman Blass: "There is no control tower."

Sandra Mott: "There's no tower."

Councilwoman Blass: "Well, there is one there but it's not (inaudible)."

Sandra Mott: "Well, I mean being occupied by people who know what they're doing. So you're not having any tower at any point during the day."

Councilwoman Blass: "Correct."

Sandra Mott: "And have you taken into consideration and the reason I asked about the map the last time not only for the residents but this LNG thing that has not been decided upon yes or no, has that been taken into consideration in regard to the flights that will have to be coming in especially since we have so much fog around here.

I mean I think you're putting it backwards. You're having rules and regulations for something that— I mean we need them obviously but if you don't have the area— it's sort of like everything else in the town, the cart before the horse here where we're not

knowing how we're going to be affected. And we don't know how the LNG thing is going to be affected and I understand it's going to be a totally like no fly zone and no boat zone from what I've been watching in regard to the Coast Guard's review as to the safety and- I mean we're talking about a bomb sitting into the Long Island Sound and like everything else, things get shoved down our throat. And if that has not- if there's no map showing us we are affected as individuals and that's going to have an effect. Has that been a consideration as well? Before we start making rules and regulations as to what direction you can fly or not."

Councilwoman Blass: "Sandra, there is a map and I'd be happy to share it with you tomorrow. It was not published yet because we didn't have printing costs and we didn't finalize the exact patterns. But I can show you the graphic depiction of the rules- "

Sandra Mott: "It's not only me, it's the other people sitting at home."

Councilwoman Blass: "Well, I'm just saying that there is a map. It's not that we put anything before, you know, the cart before the horse. There is a map, we needed to understand whether these flight patterns were acceptable and everything else was acceptable, and if you'd like to see it, you'd be more than happy to."

Sandra Mott: "Can it be printed in one of the local newspapers so that we all can see it? Or put it on during one of your work sessions that are coming up so people can see it in general and not- as I said maybe up on that board screen."

Councilwoman Blass: "It's a crude rendering at this point but I'll do my best to give you whatever information you need at this point."

Sandra Mott: "Well, it's not only me."

Councilwoman Blass: "It's a work in progress is basically what we're doing- "

Sandra Mott: "Obviously."

Councilwoman Blass: "-- well, you have to start somewhere."

Sandra Mott: "Because you're discussing this and I don't have any- I don't have any visuals here and that was the whole point of

that screen and all the upgrading and stuff. Thank you."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Thank you. Yes, Richard."

Richard Amper: "Just as a follow up. That is actually right. At the Coast Guard hearing, not hearing, presentation in Connecticut about Broadwater, the specific issue is if in order to build Broadwater that project is going to require local support and that's what the Coast Guard said. This board has been unanimous in or nearly unanimous in opposing this project. I stand corrected, sir."

But in any case the fact of the matter is the more information comes out, I think we're all going to be on the same side. The fact of the matter is Broadway ought to be more of a local decision than something that's imposed on us from Washington. And one of the messages that came out of the Coast Guard presentation, there was a question that was raised of the Coast Guard saying well if security depends on support from the town and the county and the town and county doesn't think it's a good investment, how different is that from the Shoreham question about whether we could safely evacuate Long Island in that case.

Maybe despite all of the arguments that this whole matter is going to be decided in Washington, the county and the town may have something to say about the security matters that determine whether this gets sited here and maybe as you're deciding how this airport is used, the town can use this leverage to control what it wants in its backyard.

So I think it's a really important issue to be taken up as we deal with these rules and regulations. It may be a hook for you folks that you haven't had up to this point."

Supervisor Cardinale: "Thank you."

Councilwoman Blass: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Is there any other comment anyone would like to make? Yes, Sid."

Sid Bail: "Sid Bail, Wading River Civic Association. My

experience in any hearing connected, you know, with the issue of the airport, I used to get a bad case of hives two or three or four days before that, etc. This has been sort of the gum-baya of, you know, EPCAL hearings. I had a clue of this a few weeks ago at a work session when I was gently dozing next to Larry, you know, back there, they were talking-- a brief discussion of the airpark rules and regs. And Barbara and Ed were in agreement-- close, close, this is like a yin and a yang, you know, were on the same page which was a good sign.

One of the things, you know, I'm not a pilot, you know, I don't know anything near that many of the people that spoke here, but I think it's important, you know, the commitment to work with the community. You know, at the hearing in Wading River a few weeks ago, we were talking about the dreaded topic of homes at EPCAL and I made the suggestion like there's a farmer's bill of rights, you know, maybe if there are to be homes at EPCAL, the folks know that aviation is a permitted use. And not that they're going to be abused but to realize, you know, it's in the zoning, you know, and that's part of the lay of the land.

So I think this is a very positive thing and I hope, you know, it continues in that direction. Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Thank you, Sid. Any other comments? Yes, Ed."

Ed Purcell: "Just a simple I hope you do pass this with a few adjustments from the professionals so that it fits in so the town doesn't have any liability.

And other than that, I think it's a great thing and, hopefully, you'll do this quickly. Thank you."

Supervisor Cardinale: "Thank you, Ed. Any other comment from any member of the public? If not, I'm going to leave this open for written comment for one week 'til the 10th. I think that it's absolutely true that the rules and regs for this airfield which will serve as an amenity to this industrial office park of 1300 acres is long overdue. It will make it safer and more attractive and I think the comments were uniformly thoughtful and helpful and I know that the board will utilize them in editing this and getting to a final copy.

And finally I want to thank Barbara and Ed who worked together to

get us at least to this point and we're going to go back and edit as a result of the text this evening.

So it's open for written comment for a week and we'll make a determination when we get the final text we'll do a final hearing with a map."

Public hearing closed: 8:45 p.m.
Left open for one week for written
comments

Supervisor Cardinale: "I'd like to then move to the next hearing which is scheduled for 7:35, it being 8:45 we can move to the final hearing."

Public hearing opened: 8:45 p.m.

Supervisor Cardinale: "And this is a hearing for- to determine whether Riverhead Renaissance LLC is a qualified and eligible sponsor to redevelop two parcels of land and the improvements located thereon on the north side of East Main Street in Riverhead, the old Woolworth site to the corner, and another site along the Peconic River front. There are- there is counsel for Riverhead Renaissance LLC, Don Secunda. You want to come forward, please, and perhaps introduce this topic, call upon whoever you wish.

But the public-- which I think they know well. There is a file on this at the Clerk's office which is available for the public's review. There were resolutions that were passed earlier in my administration in '04 which set forth the purposes of these hearings.

And in essence we're trying to ascertain whether Riverhead Renaissance LLC is qualified by their experience in development and qualified by their access to capital for the proposed development to be named a qualified and eligible sponsor for the project.

Go ahead, please."

Don Secunda: "Yes, I'm Don Secunda, a partner in the (inaudible) group. I represent Apollo Real Estate Advisors and its development company Riverhead Renaissance LLC in a joint effort with the town to redevelop the East Main Street urban renewal area.

At the outset, I'd like to thank Supervisor Cardinale, all the board members, town attorney Dawn Thomas, Andrea Lohneiss and Chris Kent. Without the dedication and determination of these people that want to do the right thing for this town, we wouldn't be here at this hearing tonight.

As a result of their efforts, in August the town and my client entered into a master developer designation agreement which serves as a road map for the proposed mixed use smart growth development that the town desires.

One of the steps to be taken under the agreement is to supply information to the Community Development Agency and to appear at this public hearing. In that way we can make, or the town can make an official determination that the developer has sufficient experience and financial resources to complete this project successfully so as to be designated as a qualified and eligible sponsor under the urban development law.

That presentation tonight is going to be made by Kevin Davis. He's vice-president of Apollo Real Estate Advisors responsible for new investments and investment management. He's also the manager of Riverhead Renaissance. He's been spearheading the project and the negotiations with the town from the beginning of this process when he responded to the town's request for interest and qualifications.

So at this point, I'd like to turn the floor over to Kevin."

Kevin Davis: "Thanks, Don, and if you'll give me just a second, we'll get the presentation back up and running.

Okay, sorry about that. As Don had said, my name is Kevin Davis. I'm with Apollo Real Estate Advisors. Apollo Real Estate Advisors is the beneficial owner and controls Riverhead Renaissance LLC.

Following is a presentation up on the screen to my right or in front of me now, is a presentation that gives background information on Apollo, its key principal sources of capital and transaction experience with a highlight on our development experience.

As Don said before, the purpose of this presentation is to demonstrate Apollo's qualifications and our ability to complete the proposed Riverhead Renaissance project both from a development point of view and also from a capitalization point of view and tonight, you know, we intend to demonstrate our ability to financially support and

execute the proposed development.

This page is just a table of contents. I'll try to be brief tonight. I'd like to thank— actually start off by thanking the town board and the members of the community here tonight for your time. I'll try to make it quick.

This slide contains renderings of the project which I think we've all seen before. The top left and the bottom are renderings of the south building which is along the Peconic River and the top right corner is what we call the north building which is north of East Main Street, at the corner of East Main Street and East Avenue along— on the current site of the existing Woolworth building.

The next slide gives an outline of Riverhead Renaissance LLC. Riverhead Renaissance LLC is an entity that Apollo Real Estate Advisors formed for the sole purpose of acquiring and developing properties in downtown Riverhead, New York. The Riverhead Renaissance address is c/o our New York headquarters office which is in the Time Warner Building at 60 Columbus Circle on the 20th Floor, New York, New York. And we formed the company in April of 2006.

As you can see down below in the box and we will demonstrate later, Riverhead Renaissance LLC is funded by Apollo Real Estate Investment (inaudible) LP and is 100% beneficially owned by Apollo Real Estate Advisors.

Following is some background information on Apollo. Apollo was founded 13 years ago in 1993 by Bill Mack. Bill Mack has been a leader in the real estate industry and one of its most prominent figures for the last 40 years. Since 1993, we have invested over seven billion dollars in more than 365 transactions with a total value of over 30 billion dollars.

Now one thing I would like to make clear is the capitalization on that is seven billion of our own equity, you know, another portion of partner's equity and then the rest is— was capitalized with debt.

We have main offices in New York City, London, Los Angeles and Atlanta as well as satellite offices in Boston, Philadelphia, Chicago, San Diego, Luxemburg and (inaudible), and worldwide we have over 100 employees.

The following slides will outline some of our projects that we have developed, redeveloped and invested in. Most of them are recent

projects or relatively recent projects.

The Time Warner center is probably our most high profile investment to date. It's located in New York City at Columbus Circle which is on 59th Street and Broadway Avenue. The project was a 1.7 billion dollar project and the building now which is now fully complete and has been for about two years, contains approximately three million square feet and houses the shops at Columbus Circle, Jazz at Lincoln Center, Time Warner's Global headquarters, a Mandarin Oriental Hotel, approximately 200 luxury condominiums, and is home to both Apollo Real Estate Advisors home office and the related company's headquarters which was our partner in the transaction.

This project is a great example of how we've been able to work with public agencies and is our— a good demonstration of our ability to handle public private transactions. The land that sits underneath the Time Warner center was owned by the Metropolitan Transit Authority— Transportation Authority, the MTA, which was, you know, in turn controlled by the City of New York.

The city put out an RFP much like Riverhead put out an RFP for this project looking for and asking for developers to put proposals together. We responded and, you know, we were awarded the project based on several reasons, one of which was architecture. The other more important aspect of our proposal that made it attractive and which won us the project was the mix of uses that were chosen to make the space inviting to the public which allowed for the creation of an environment that's attractive to tourists and the general public.

One thing that the city required was that we incorporate Jazz at Lincoln Center into our project and for those who have been there, it's an outstanding performance theater space and I think it's in my opinion unrivaled in the city.

We also brought Time Warner as a tenant which was a huge asset to the city.

The project required us working with the MTA to construct a subway entrance because the subway runs right in front of the building, as well as work with the city to renovate and to re-landscape Columbus Circle which for a long time was just in a state of disrepair.

Moving onto 1111 Marcus Avenue, this is a 1.4 million square foot industrial facility that we bought and renovated into office space.

It's approximately a 200 million dollar project and now the project is fully leased to high credit tenants and now is home to the North Shore Long Island Jewish Hospital's new state of the art cancer treatment center.

Station Plaza in Hicksville which is also here on Long Island, we purchased in May of 2005. The property was purchased vacant. What we've done subsequent to acquiring the property was renovate the space, upgrade the lobbies, elevators and common areas and we've been re-leasing the space to new tenants and by the end of this year, we expect that project to be completely leased and 100% occupied.

One thing I think that's important to note is we- there's a 35,000 square foot former cafeteria in this building which we have- we're currently working with the town of Oyster Bay of obtaining a variance to convert that space into a high end fitness center which we think is a use that benefits the area as well as the tenants much better than an old cafeteria.

Moving onto Deer Park also in Long Island off of Exit 52 and just south of the Long Island Railroad train tracks on Peconic Road, Deer Park is a 300 million dollar smart style outlet center which we're developing. The property was a former industrial and office facility that was effectively hidden behind some retailers. There's a Home Depot there and it's behind that, and the proposed development will include a movie theater, retail shops, outlet shops, and restaurants.

(Inaudible) Avenue a 176 unit luxury condominium building that we're building on 59th Street and West End Avenue in New York City. The project is approximately 222 million dollars and really I think this project in particular and there are a couple other examples show our ability to be pioneering in our location selections.

This area for those of you who know Manhattan was previously dominated by car dealers, gas stations. There's actually a power plant right across the street and garages. And since we have started development, we've seen a number of other luxury condominiums coming out of the ground and it's turned the area from what was a place that you never really would want to go before to an area that's really in a very high demand for residential space.

Next is Court Plaza which is in Brooklyn, New York. This is a 100 million dollar project where we've acquired two rental buildings. We've renovated them substantially. We're selling one of them as condominiums and we're renting out the other one at higher rents

because we've created better space.

505 Greenwich is another example of a pioneering project. This building is located on the— in an area that really doesn't have a name in the city. I guess now it's called the Hudson Square area. But it's really known formerly as the site of the UPS facility. There was very little if any residential product in the area. Since finishing this building which completed about two years ago, it's— this area has become now one of the trendiest places for high end luxury condominium projects. That's about a 90 million dollar project.

The Hudson T building which is in Hoboken, New Jersey along the Hudson River was a former Lipton Tea manufacturing plant. The prior owner actually took it from a manufacturing plant, turned it into luxury rentals. This is about a 170 million dollar project where we are taking the rental apartments and converting, upgrading them and converting them and selling them as condominiums. The project is going extremely well and we are more than 60% sold out and we anticipate to be sold out you know within the next 18 months ahead of schedule.

Champions Gate is another example of large development— large mixed use development that we've done. It's in Orlando, Florida. It's a 225 million dollar development. The project sits on 1500 acres and it's a master plan, mixed use development that includes an office building, shopping center, single family and condominium homes, and the recently completed OMNI Orlando Resort which has 730 hotel rooms and two 18 hole championship golf courses.

Champion's Gate is actually a great example of public private partnership that we have done. This is really a great example of a win-win situation. The 600 acres that the two golf courses sit on were formerly or are owned by the City of Kissimmee and was formerly a water distribution area meaning that they took water, clean water coming out of a sewage treatment facility and they sprayed it so that it would soak back into the aquifer.

What we did is because at the time there really was no use for the property, what we did was we proposed to put the two golf courses on that site and what we do now is we entered into a 99 year lease with the City of Kissimmee to lease the site. We built the golf courses and we still distribute the water. Now we use it to fertilize and to water our greens.

And in exchange for that, the public is allowed to play on the

golf course also. It's not a public course, but the public may go on the course.

The Beverly Connection is probably the development that's most similar to Riverhead in that it is a mixed use development in a very urban setting. It's about a 200 million dollar project located in Los Angeles. It's right across from the Beverly Center. The project contains retail, multi-story parking garage, residences and senior citizens assisted living facility. And I think that this project probably out of any that we've seen before, is probably most similar to what we are proposing in Riverhead.

Next is Monument 3 which is one of our Apollo Fund 5 investments. It's a 50 million dollar ground up office building with about 200,000 square feet and then following on the next slide is (inaudible) Retail which is an example of one of our European investments. For 740 million Euro we purchased 26 shopping centers with six and a half million square feet.

I think one thing that we also don't have on the presentation here that it's important to note is the fact that recently and this speaks to our recent investment activity, recently we have acquired about 9500 multi-family units, rent stabilized apartment units, in Manhattan and the outer boroughs. We focused on areas that are turning around and areas that are, you know, emerging as new viable living locations within the city. So we've been buying property in the south Bronx, Harlem, and Brooklyn so that's what's been keeping us busy.

Much like homeowners take out mortgages on their homes, we typically take out mortgages on the properties that we buy and the developments that we complete. This slide includes a list of some but not all of the lenders that we have relationships with. We have extensive relationships with pretty much any major real estate lender in the nation.

As it relates to Riverhead Renaissance, we continue to have conversations with several lenders about financing the project. We feel that we will be able to finance between 60 and 80 percent of the project costs and we will be obtaining firm commitments from lenders as the project progresses and details become more solidified.

Currently we're funding all capital need with cash."

Councilman Densieski: "Mr. Davis, up here. Do you want us to

hold questions to the end or as the slides come up and we have questions?"

Kevin Davis: "Probably hold questions to the end. Apollo Real Estate Investment Fund 5 is providing Riverhead Renaissance LLC with the cash equity that is needed for the project. Fund 5 has given the commitment to Riverhead Renaissance LLC which you will see at the end of this presentation and is providing up to 100 million dollars of equity towards Riverhead Renaissance LLC to complete the project.

Fund 5 is a diversified real estate investment platform that focuses on all property types throughout the US. Many of Fund 5's investments are development or redevelopment projects. Fund 5 is committed with- I'm sorry, capitalized with 700 million dollars of equity commitments from institutional and private investors and which gives us the ability to invest in well over two billion dollars worth of real estate.

In addition, Apollo principals invest a significant amount of dollars along with the limited partners who invest in Fund 5 and to date across all the various funds, the principals of Apollo have invested approximately 200 million dollars alongside its investors.

This slide is a list of some of Fund 5's investments to date. As you can see, Fund 5's commitment to Riverhead Renaissance makes Riverhead Renaissance the largest commitment to date.

This slide outlines our investment committee. Our investment committee is responsible for all our investment and management decisions. The investment committee includes Bill Mack and (inaudible) the two senior partners, John Jacobson and Richard Mack, the two US Managing partners. Bill Benjamin who is our managing partner of Europe and Stu Kennig (phonetic) who is our partner in global chief financial officer.

Following are some biographies of the investment committee. Bill Mack who is Apollo's founder and a senior partner along with Lee Neibarg (phonetic) has over 40 years of experience in the real estate industry and is one of its most recognized leaders. Bill is also a senior partner of the Mack organization which owns income producing real estate throughout the US as well as the non-executive chairman of the Board of Directors of Mack (inaudible) corporation, one of the largest publicly traded real estate companies in the country.

Bill is a trustee of the University of Pennsylvania, an overseer

of Penn's Wharton School of Business. He's the vice-chairman of the North Shore Long Island Jewish Health System and he is chairman of the board of the Guggenheim Foundation.

Lee Neibarg is the second senior partner of Apollo. He's been with Apollo since 1993 when it was founded. Prior to joining Apollo, Lee was the executive vice-president and chief operating officer of the Robert Martin Company, real estate development and management company. Lee serves on the advisory boards of the Enterprise Foundation and the Real Estate Institution of New York University and is a former president of the New York chapter of the National Association of Industrial and Office Parks.

John Jacobson and Richard Mack are the two managing partners in the United States. John's been affiliated with Apollo since its founding in 1993 and shares responsibility with Richard for day to day management and investments of Fund 5. John's a trustee of the Grattan (phonetic) School.

Richard is the driving force behind substantially all of Apollo's new investment activity and has primary responsibility for the day to day management of Fund 5. Richard serves as director of (inaudible); is on the advisory board of Mercantile Capital, is president of the non-profit HES community center, and is a member of the executive committee and the advisory board of the (inaudible) real estate center at Wharton.

Richard also has a law degree and was admitted to the New York State Bar in 1994.

Going on, Bill Benjamin is the managing partner in Europe. He runs our London office and has been affiliated with Apollo since 1995. Stu Kennig is a partner of Apollo and the company's chief financial officer and has been with Apollo since 1995 and prior to that was at (inaudible).

The Apollo team that is focused on Riverhead Renaissance is focused on Richard Mack, Buddy Hahns (phonetic) and myself. We reviewed Richard's biography two slides back or the last slide back.

Buddy joined Apollo as a partner in 2003 and focuses on new investments and fund raising. For 20 years prior to joining Apollo, Buddy was a managing director and member of the investment committee of UBS Realty Investors where he was head of real estate investments for the US and foreign clients.

Buddy is a member of the Association of Foreign Investors in US real estate, the Urban Land Institute's Urban Development Mixed Use Council, the National Association of Real Estate Investment Managers. He is a licensed real estate broker and he holds a certified property manager and council of real estate designations.

I joined Apollo in 2004 and am responsible for new investments and investment management. Prior to joining Apollo, I was in the acquisitions group of (inaudible) Realty Trust which is one of the largest publicly traded real estate investment trusts in the United States. I'm a member of the Real Estate Board of New York and the Urban Land Institute.

The following slide outlines the ownership of Riverhead Renaissance LLC. As you can see, Riverhead Renaissance LLC will 100% own all properties that are acquired in Riverhead and in turn Riverhead Renaissance LLC is 100% owned by AP Riverhead Renaissance LLC which in turn is 100% owned by Apollo Real Estate Investment Fund 5 LLC which is beneficially owned and controlled by Apollo Real Estate Advisors.

This slide outlines the ownership of Fund 5. Fund 5 is capitalized with commitments so we only call equity and we only call money as needed. Fund 5 is set up as a limited partnership. Apollo principals make up the general partner and various entities make up the limited partners. As you can see here, our limited partners consist of public pension plans, individual investors, corporate investors, corporate pension plans, university endowments and charitable foundations.

The next four slides will outline the proposed project. The first phase of the project will consist of the construction of two buildings, the north building and the south building. The north building is located on the northwest corner of East Main Street and East Avenue. It will contain approximately 207,000 square feet of retail theater and hotel or for sale residential space.

As you can see from the breakdown on the slide, the specialty food retail will be approximately 55,000 feet; cineplex, approximately 76,000 feet; and residential hotel with approximately 66,000 feet.

The south building is located along- to the south of East Main Street and along the Peconic River. It will contain approximately 104,000 square feet of which 30,000 will be retail and the balance will be residential.

As you can see from the development budget, we anticipate the total project cost inclusive of the garage and public infrastructure will be approximately 120 million dollars. It's anticipated that Riverhead Renaissance LLC will be able to obtain construction financing from lenders for approximately 70% of the cost for the physical building which is anticipated to be approximately 90 million dollars. And the financing of some sort will be raised to complete the garage and public improvements.

The project time line is shown above. We anticipate that there will be about a 12 month period to go through the generic environmental impact statements studies where we're going to review traffic, environmental impacts and zoning and permitting issues. So we think that will take about 12 months and then from that point on another 18 months to completion. We anticipate that we will be able to have a grand opening in later August, September of 2009.

This final slide is just a copy of the commitment letter that Apollo Fund 5 has written to Riverhead Renaissance LLC which the long and short of it is that it's 100 million dollar commitment and I don't think we need to go through it all.

Thank you. Do you have any questions?"

Councilman Densieski: "Yeah. I have a question. Back on page 18, you did touch on the (inaudible). I'd like to read it again just (inaudible).

First of all, let me congratulate you as usual on a very professional and businesslike proposals, very well done. But I do have a question.

I'll read it. Apollo continues to have conversations with several lenders regarding the project, all of whom have expressed significant interest in providing financing. Preliminary feedback indicates that lenders are willing to finance between 60% and 80% of the total costs. Riverhead Renaissance will obtain firm commitments from lenders as the project progresses.

My question is, do you meet the criteria set forth by the CDA for qualified and eligible? It just seems like the financing is not firmly in place."

Kevin Davis: "Well, I think one thing that's important to note is that we're making a 100 million dollar commitment against a 90

million dollar project. So I think that if we can't provide the debt which we're very certain that we can, we can capitalize the development with cash."

Councilman Densieski: "So do we have- I'm just wondering what the instrument is, what the document is to verify- "

Kevin Davis: "You have my commitment letter on the screen and actually in the package that we provided to you, we provided a signed copy of this commitment letter which is from Fund 5 to Riverhead Renaissance LLC stating that Fund 5 will commit 100 million dollars of cash, of equity, towards the project to complete the project."

Councilman Densieski: "Okay. I'm not exactly 100% sure of the criteria. I think Andrea probably knows it better. Does this meet the spirit of the criteria, Andrea?"

Kevin Davis: "Well, let me make- put an example together for you. If you were to go and buy a house and let's just say in this example our house is a 90 million dollar house, you could either pay cash for the house and write a check for 90 million dollars, or you could go to a bank and obtain a loan for approximately 72 million dollars and write a check for 18 million dollars. That's how you capitalize real estate developments. And you do it the exact same way in this. In Riverhead Renaissance we're going to do it in the exact same way."

Now we have the ability through Fund 5 and through Fund 5's commitment to Riverhead Renaissance LLC to pay with cash full development costs. But what we intend to do is go to banks and leverage our position off, meaning that- meaning that we'll borrow between 60 and 80% of the 90 million dollars to complete the project.

Councilman Densieski: "Okay, I apologize. Banking is not my specialty. I just don't see the document that says you know by the banking institute or whatever- I could tell you I'm buying a 90 million dollar house too but I doubt that I have the money. I'm just- "

Kevin Davis: "Well in the confidential information that we've provided you in the package that I think you have in front of you, if you look at the- if you look at the second tab, you have audited financials from Apollo on Apollo Real Estate Investment Fund 5 from (inaudible) which we can't disclose to the public but that should give you enough evidence to show that we have the funds to commit to the

project."

Councilman Densieski: "Okay. On the second page of that-- that's where I'm hung up of the debt versus the holdings. I'm sure this is a conversation for later, but I need somebody to explain it to me."

Supervisor Cardinale: "I want to put out a couple things. One is that financials have been given to as I mentioned to Ed just before we started, Tom Rothman is the one that most of us-- Tom Rothman is the one that we-- from Wilke Farr who was our previous counsel, but Mr. Goodfriend (phonetic) our municipal bond counsel from (inaudible) is looking at these financials, and what we do tonight really will not be helpful as what we do when we discuss with their-- what you've given us with our accountants and our attorneys."

But to follow up on Ed's point and to get to the basics, I get exactly what you said and we've heard that before in qualified and eligible, but if you look at your Apollo commitment letter, I'm concerned about the final paragraph where it says, it does say the Fund will commit to funding up to 100 million to complete the project and anticipates that a significant portion of the total project will ultimately be financed with third party financing as would be usual and intelligent.

But then you say in the final paragraph the foregoing obligations of the fund are personal to the developer and no third party beneficiaries are intended or applied-- or implied. What I need is a commitment and I don't see it either from Renaissance LLC-- from the Fund, the people that have at least the commitments to the money, to Renaissance LLC. And I am a third party. So it seems that that final paragraph there is really-- is going to inspire some discussion."

Dan Secunda: "I think what the real answer is-- "

Supervisor Cardinale: "Yes?"

Dan Secunda: "-- is that we-- well, let me address a couple issues. If you take the total cost of 120 million dollars, the normal way of financing that would be you commit to 20 million dollars and get a 100 million mortgage."

Supervisor Cardinale: "Right."

Dan Secunda: "We've done just the reverse. We're committing

that the equity- at least 80% of the project costs will be funded in equity if necessary. That's step one. Step two, it's a classic protection that's given in any commitment letter when you go to any bank that a commitment letter cannot be used as a basis for third party credit. It cannot be used for a third party to enforce it and make you do something. You cannot be forced to fund this if it's not the project that you agreed to. And that's very simple."

Supervisor Cardinale: "I think- I understand what you're saying and it's so true except that at some point at least, in the LDA, the Land Disposition Agreement, we've got to- before we sign on, we've got to know that the money is committed from that fund to the town."

And the other problem of course is that as you look at your financials, not unintelligently because nobody in their right mind is going to give you the money before you need it, you've got commitments for a lot of money but you call it in and it comes in. If by chance it doesn't come in, we've both got a problem."

Don Secunda: "Not only do we both have a problem but so does the institution that doesn't put up where, you know, what they said they were going to write."

Supervisor Cardinale: "Right. Right."

Don Secunda: "Another point I think is interesting to note, if we knew exactly what the project was going to look like, because that's still part of our negotiations, we would be able to go to a bank and get a commitment letter. Without having more specifics about what the project is really going to be that will satisfy both the town and Apollo, it's very difficult if not impossible to go to any institution or even a private--"

Councilman Densieski: "You're making my point. Thank you."

Supervisor Cardinale: "Yeah."

Kevin Davis: "That's correct. And I think- and that's one of the reasons why we don't have a firm commitment from the bank now which is in turn why we made a cash commitment because, you know, we didn't want to make our proposal subjective to financing. We have a non-contingent commitment."

Councilman Densieski: "Thank you. I understand now. Don cleared it up for me. I guess my question is probably for Phil or

staff, I don't know. Does this meet the criteria that we set upon for qualified and eligible? Because I don't know the answer to that."

Supervisor Cardinale: "Yeah, it does if the 100- you're substituting the 100, you're saying look, I can finance it by the bank or I could finance it myself. As long as the 100 is there satisfactorily in the cash reserves, which have been pledged but not necessarily delivered, then it would. Yes, it would meet the resolution we passed on '04.

So the discussion we will have after this session this evening would be that assurance in some fashion we'd have to know that that cash will be there.

I should point out that Tom- Steve, I'm sorry, Steve Latham of Twomey Latham & Shea is here as our attorney observing and you wanted to comment."

Steve Latham: "Maybe I could just clarify one thing for Councilman Densieski that this is- will not be the last hearing that you will have with regard to this particular project. For a number of reasons we're proceeding in a two step process in which the overall qualifications, not only the construction but also the kind of financial assurances that you've been given about the access to capital markets as well as the commitment from Fund 5, is being presented here.

But as we get into the transaction, as you go through the zoning process and you review the project specifically as we define the exact metes and bounds of the property to be conveyed, as we negotiate the land disposition agreement, as all of these things become more clear, then under the Urban Renewal Law there would be another hearing at which point these financial commitments will be a lot more certain as Mr. Davis was explaining and it will provide you with the answers that you want.

But under the master development designation agreement that we negotiated and the funding that Riverhead Renaissance agreed to make available to the town in order to complete the studies, we elected to do it in a two step process.

I realize it's a little different than maybe what you've seen in the past but it does- it does satisfy the CDA's requirements."

Councilman Densieski: "Thank you."

Supervisor Cardinale: "If there's any other questions from board members we can pose them and then I'd like to give the public a chance to comment."

Councilwoman Blass: "Just that I could clarify something, please. That means in Phase 2, if there is a Phase 2, we would go through another Q&E process?"

Don Secunda: "I defer to your counsel."

Supervisor Cardinale: "Tom, I think- Steve, I know the answer but you're here and we're paying so- well, they are actually. The good news is they're paying him. But please answer that question."

Steve Latham: "It would- Councilwoman Blass, it would not just be for Phase 2 or a future Phase, it would be for this specific project. Because in order for the town to convey property to a qualified and eligible sponsor, we'll have to define, we'll have to negotiate the purchase price, there will be a public hearing at which that purchase price will be discussed, the precise metes and bounds definition of the property will all be presented. So on this- in order for the conveyance of property to go forward, you would have another hearing on this particular Phase."

Councilwoman Blass: "At what point do we declare you an eligible sponsor for this Phase?"

Steve Latham: "What you are going to be doing now is going to be dealing with the financial qualifications of the entity which they've presented tonight and also their technical qualifications in order to build the conceptual project that has been presented and with that go ahead, they are then going to be funding the GEIS work that is going to commence and the update of the urban renewal plan and they're also going to be entering into negotiations with the town for the land disposition agreement."

Supervisor Cardinale: "That she knows, but her question- "

Don Secunda: "If there's a Phase 2, if Phase 2 involves town owned property, we have another hearing. Currently that's not known and we can't determine that. The reason for this hearing is the urban renewal law requires it for a disposition- town property for this to be an urban renewal project."

Supervisor Cardinale: "Tom, if you can come up- that's the

question she asks and that's accurate that Phase 2 would require a Q&E. And incidentally Q&E's are not required at all unless there's public property involved which is why- which is subject to some confusion.

You only have a Q&E if you have public property involved. You don't need it if you don't. But the question that I also wanted to ask is a follow up on her. I know what you just said. You said it when we were in work session last week, the whole process. But at a certain- but after (inaudible) our counsel looks at it, you look at it, the accountants look at it, what they've given us and the file that's in the Clerk's office, we are going to--for Phase 1 which is the north building and the south building, 100 million or so, we're going to declare them qualified and eligible and that's going to happen, if I understand it, it's going to happen at some time within the next month probably. Is that your understanding as well?"

Steve Latham: "Correct."

Supervisor Cardinale: "Okay. For Phase 1, building north, building south. If they come back with other projects, we're going to have another hearing."

Steve Latham: "But it's also going to be- keep in mind that the designation is also going to be subject to the negotiations of the land disposition agreement. It's going to be subject to the negotiation of a price for the property which is then going to be subject to further public review as is required to be."

Supervisor Cardinale: "So to be qualified and eligible once we get through the economics here but they will become qualified and eligible subject to the key agreement which is the- "

Steve Latham: "But unless there are changes in the composition of the entity and so forth, they will be deemed to be qualified in order to proceed with the project and when we get to the contract then that's when we'll see that they put up the money."

Supervisor Cardinale: "Thank you for the clarification."

Councilman Densieski: "Thank you, Steve."

Supervisor Cardinale: "Okay. Is there any comment from any member of the public here as to the information that we've received regarding the development background and financial background for

Riverhead Renaissance? Yes, Marty."

Martin Sendlewski: "Good evening. Martin Sendlewski, Riverhead. There was a very interesting comment made just a short while ago when the attorney from Apollo noted that if they knew what the project was going to look like, they could get a firm commitment and I think there's a lot of people that are— feel the same way. If they knew what it was going to look like. Most particularly quite frankly myself.

I provided a correspondence to the town earlier today, you probably don't have it, it was fairly late. I did forward a copy to Apollo. I'd just like to briefly read it into the record. It's very short.

It says: Beginning on March 10, 2006 through the present date, I provided numerous correspondence, copies attached, to the town board and Apollo Real Estate Advisors LP indicating that the Phase 1 plan incorporates as part of the parking garage the use of my property on East Avenue which is fully approved for a five story mixed use building.

If the site is not incorporated into the project, I did an overlay. The garage would lose approximately 190 cars. That's just based on a quick overlay I did.

I'm not going to read the whole letter; I'll just touch on the fine points.

I had, you know, spoken with the town previously with the intent of discussing whether or not the town was interested in the property since the garage is shown over my building and I haven't received any inquiry. I think what their comment about if they knew what it looked like, they would be better off, in a better position, that reflects I think pretty poorly on the town.

The town hasn't taken the initiative to discuss with property owners that are directly affected what's going to happen, especially if a property owner has a project that they've worked on for a long time and brought it to a point where my particular project is now.

We've— since that time, we haven't stopped because we haven't received any inquiry so we've completed all our engineering documents, we filed our covenants, we've submitted everything to the town, we only have to submit now our bond and the permit fee and we can begin

construction.

Recently we were also included in the Restore New York Communities Program which means we may get- I may get up to \$20,000 in demo costs and \$100,000 reconstruction costs toward my project which will be very valuable to me.

I don't understand how this process can go to a point when you have property owners that are directly affected and you haven't even had an inquiry as to what's going on. I don't know if Apollo is even aware of the fact that the town has not pursued any of the properties that are required to make this project happen. So that's one comment.

The only- the next item is a question. It was stated that the project was estimated at 120 million dollars and I believe, I don't know if I'm reading this right, it says that 90 million will be provided- about 90 to 100 by Apollo from what I understand. And I think they said that about 60 to 80% of that 90 is being borrowed. I think that's what they said, I'm not sure. I just want a clarification.

If that's the case, who's paying the remaining 30 million dollars of the project? That's the only question I have.

And then the first comment was, you know fairly obvious. I did provide this correspondence to you with all the backup which I think was about four additional correspondence beginning on March 10th of the year going through to present and you have a copy of that. Apollo has a copy, the town attorney as well as Community Development has a copy.

That's a personal matter but it does have an effect on what's happening with this project. I'm sure everybody wants to know, especially Apollo, if the town is going to pursue these properties. If not, it seems like we're all spinning our wheels.

And my specific question is about the funding, if there is a 30 million gap that I perceive here. I wonder if it could be answered."

Supervisor Cardinale: "Yeah. I would like, Kevin, if you could answer that question. I don't- I know the answer, but what the heck. I'll let you answer it because you're the applicant."

Kevin Davis: "In response to your first question about your site in particular, you know, we're still- while we do have renderings

that have been made public and you know I believe that's one of the renderings is what you're talking about, there's nothing set in stone at this point and it's a work in progress. So that's the best that I can answer that question right now.

As far as the second- your second question about the capitalization of the transaction. You're correct in the sense that the two buildings we anticipate to cost about 90 million dollars. Of that 90 million dollars, we do intend to go finance between 60 and 80% of that. So we'll put in the rest with cash.

The difference between the 90 and the 120 million dollars relates to public improvements and the public parking garage construction which is something that we are still discussing with the town to how to capitalize."

Supervisor Cardinale: "Thank you. Is there any other comment from any member of the public in regard to this? I'm going to be leaving the hearing open for written comment. I'm going to be seeking written comment as I mentioned from our municipal counsel and our accountants and we'll be discussing the resolution and how this presentation and the data on file with the Clerk's office meets the resolution criteria for Q&E or doesn't. Yes, would you come forth, please, Sandra."

Sandra Mott: "Hi. Sandra Mott, again, Riverhead. I was wondering what the current actual appraisal value is of the land, both for the north and the south side is. Has there been a current appraisal?"

Supervisor Cardinale: "We were wondering, too. Yeah, that will be a part of the LDA, the land disposition agreement, and if you looked at the master developer designation agreement, we indicate that we expect to be paid fair value for the use and- for the use intended which he's described. We do not know what that fair value is and I don't think- Chris, we haven't gotten to ordering- we haven't yet ordered appraisals."

Sandra Mott: "Oh, okay. And my second question pertains to the- and I asked this a long time ago when I heard about this- I'm not following it that closely. I watch it on TV and I read what I can find in the paper about it. So if I'm asking something that somebody's already answered before, let me say I'm sorry.

Who's actually providing the insurance for this project since

it's right along the Peconic River and I don't know- "

Supervisor Cardinale: "You mean the flood insurance or all insurance?"

Sandra Mott: "The actual flood insurance. Is that going to be government backed insurance policy?"

Supervisor Cardinale: "We did ask that question I think it was when Spector was out here when they did that recent- what was that on? What hearing was that? The informational hearing we did for downtown because they had questions, parking district did. That question was answered and it was addressed and it was said, they're going- they are comfortable, absolutely confident, that they will be able to obtain the, you know, insurance, fire, flood, liability for the building on the waterfront because that- among other things, the reason for that is because it's actually going to be built eight feet higher than the present level there. But their confident that they will be able to obtain the necessary insurance and they will be paying for it."

Sandra Mott: "And the reason I ask that is because a few years after we moved into the community they had a program on the Cablevision in regard to the catastrophic hurricanes, etc. and you don't need anything catastrophic to flood down there."

Supervisor Cardinale: "I understand."

Sandra Mott: "I think it just did that after they just refurbished that beautiful park that they just put in. Because during that programming and I've said this before a long time ago that the actual flood waters came to- if you were looking at the back entry to the Swezey's building, they had an overlay and the overlay came to the back, the upper level of the back door of Swezey's and I think that that's more than eight feet and not counting any kind of wind and water or water being pushed around by the wind."

I just don't want us to get stuck bailing, pardon the pun, these people out when they say, well, gee, we really can't do this. And I really find it interesting that all this kind of development is happening right on- in a water area that I guess the Environmental Protection Agency has helped us restore and I'd like to know how this is all happening, this kind of major, major investment, a hundred million dollars worth of investment and I'm taking the total rather than Phase 1 and Phase 2, unless they really don't plan to do Phase 2 and they're only going to do the north side which will be higher

enough and be protected more than likely from any kind of flood damaging water entry.

And I'm wondering also, are they aware that that water is full of (inaudible) and plutonium from Brookhaven National Lab and the leakage into the Peconic River? Are they aware of that? Because if they're not, they need to be. And then I really want to know who's going to insure--"

Supervisor Cardinale: "They are now."

Sandra Mott: "-- well, they need to be. They need to be because then we're only going to get into an insurance issue. That's a toxic waste dump that they're building on basically."

Supervisor Cardinale: "And we've been telling them it's a beautiful Peconic that they can overlook."

Sandra Mott: "Well, it's a beautiful Peconic if you don't touch it."

Supervisor Cardinale: "I want to thank you for coming in."

Councilman Dunleavy: "What's happening to all those people that eat the fish that they get out of there?"

Sandra Mott: "And it should have some signage up a long time ago. Precisely, John, and that's exactly what I was going to say next. Because people are innocently using it as recreation and children are bathing in it. Now if they want to go hog with this, then I don't think the town should be liable for any of this. You now have it open and up front that's the category of that river. You want to build on a toxic waste dump, don't come back to the town of Riverhead. I don't want to hear about it. We don't have the money. And I'd like to know how all this is happening with the market change or am I not watching the same TV programs that they are."

Supervisor Cardinale: "I don't know."

Sandra Mott: "If the market's going down and everything and I'm going to get-- these are residential units that are not going to be for the common folk."

Supervisor Cardinale: "You are a bundle of optimism this evening."

Sandra Mott: "Yeah, that's what he said. You know what it is? It's called reality. And I've been at this town hall meetings one too many times. Maybe it's been the wrong time and I'm catching up for lost time. But, quite frankly, I think it's a real fool's errand that we're following down a path of big mistakes here. We got the same crap from Grubb and Ellis when they were going to off load the property and then we got gypped out of 17 million dollars is what you got for that property, which if you'd held it can you imagine how much property is worth if they're doubling an investment when they're- in New York City they didn't even have these kinds of investments. And they're- what is that property worth? Obviously more than we are thinking it is. Developed, undeveloped."

Councilman Densieski: "Point of order, Mr. Supervisor."

Supervisor Cardinale: "I'm not following you but would you please direct your comments to their suitability, financial and- "

Sandra Mott: "Okay. Suitability is, is the buildings- they're involved with the Tanger business, right? Their development. That's one of their other developments. Well, what do you think we're going to have down here when they do the Deer Park one? We're going to have an empty lot and then they're going to own this part of town as well."

Supervisor Cardinale: "Thank you, Sandra. You want to change the tape, please do so and we're about to change the tape and then we'll take a final comment if anyone has one. Sure. Would you like to come up so you'll be ready to fire away? We're going to question that we'll put on the record. I would also note that I will keep this hearing open for 10 days for written testimony. You want seven? Okay, for seven days because that's what we're doing this week. Seven days, all our hearings are being- are you ready? Okay. We're going to take a comment and I'm going to tell you that we're going to keep it open for written comment for one week. Yes."

Alice Belmonte: "Hi. Alice Belmonte, Wading River. My husband Bill who couldn't be here tonight has sent me to actually ask a specific question which is near and dear to his heart.

In your estimation the existing zoning, will that be changed or do you actually envision that there's going to be some changes to the zoning for downtown? You know, is there--"

Supervisor Cardinale: "My answer is no, there's not going to be any zoning changed but may you can ask- but you ask them."

Alice Belmonte: "I was asking them."

Supervisor Cardinale: "Oh, you were?"

Kevin Davis: "The response to that is the current proposal does not require any changes to the present zoning."

Alice Belmonte: "Okay. Okay. Thank you for that. I just want to say that I've actually done, I was just counting in my head, I've done 37 deals with Apollo in my business career and right now I'm the general counsel of a real estate development company in New York. This is a very professional presentation tonight. I actually started to deal with Apollo with Fund 3, actually the end of Fund 2 through Fund 3 and Fund 4, and I actually have a lot of faith in the fact that Bill Mack and crowd can come up with 100 million bucks to do a really good thing for downtown Riverhead. Thank you."

Supervisor Cardinale: "Thank you, Alice. And I have great faith too but I'd like you to verify that sometime in the next seven days. But, what do they say, trust but verify as in Russia."

Oh, yes, I have a letter here from Riverhead Enterprises which I'm asking be made part of the record from Mr. Sheldon Gordon, so would you please do so and I would like to take any other comment and if there is no comment, I would like to note that this hearing will be held open for written comment 'til close of business on October 10th and we'll be speaking with our accountants, our lawyers. There's a full file in the Clerk's office, you're welcome to look at it, anyone who wishes."

Public hearing closed: 9:48 p.m.
left open for written comment for
7 days

Supervisor Cardinale: "And I'd like to note that it's 9:48 and this hearing for verbal testimony is hereby closed. And we did it, we went through all five of the hearings plus the two from last week. And now we are taking comment on the 50 or so resolutions we are about to consider. So if anybody has a comment, I'm all ears. Then we'll go through the resolutions as you know and then we'll take general comment."

Oh, Shelly wants the text read. Well I would suggest that Shelly

come then and read it himself but I'm a nice guy so I'll read it in. Because it also says kind things. I'll read it in because it begins as follows:

Dear Supervisor Cardinale: The partners of Riverhead Enterprises are unfortunately unable to attend the meeting to be held on Tuesday, October 3, 2006. We would appreciate it if you would read this letter into the record.

Firstly, we wish to applaud you and your administration for your efforts to develop a plan to redevelop downtown Riverhead. Let me read that again. All right, I won't.

We believe that the choice of Apollo as a prime developer is an excellent one. Our sale of the old Woolworth building to Apollo was handled fairly and professionally and accomplished quickly by Apollo. And probably for double of what it was worth but it was a good sale for him (inaudible).

However, we have some genuine concerns regarding Apollo's proposal to build on the waterfront south of Main Street. We believe that the proposed building would be moved-- should be moved north, toward the south side of Main Street for the following reasons-- you will recall that the building is 60 to 100 feet from the river front.

1. A beautiful new residential and retail building closer to Main Street would contribute substantially to the rejuvenation of the Main Street area.

2. Moving the building north toward Main Street would allow for additional parking in back of the new building and might not require the town selling as much valuable parking district property. Parking is currently in short supply and if not preserved, could further limit the future development of downtown Riverhead.

I believe if you move it north, I'd say well, whose property would it be if not the parking district and he indicated coincidentally it was his.

We are sure that other Main Street property owners would join us in actively pursuing negotiations to build a more beautiful Riverhead.

We respectfully request that these points be carefully considered before a final site plan is approved.

And I did speak to Shelly today and confirmed his comments. He does understand that the building would front the river but if you move it back 100 feet, I still don't understand how that gives you more parking to the north. But such as it is, it is.

Is there any- if there's no other comment, I'd like to move to the resolutions. If anyone wants to comment on any of our resolutions, I'd like you to do that.

I also want to add that we have an extra resolution that we're going to add on because our counsel- in regard to the- this is a purchase of development rights, didn't get it to us until about three this afternoon. It's the purchase of development from Shirley Edwards to the town of Riverhead where in view of the fact that we're late on closing because we're waiting for state money, we're going to advance a- release the deposit of certain sum in order to keep him from waiting for the state money which we need to close it.

Okay. Would you please call the- oh, first off, CDA. Andrea, I knew you were here for a substantive purpose and you are supposed to call the CDA resolutions. I'm closing the meeting- I'm adjourning the meeting of the town board for a few moments."

Meeting adjourned: 9:52 p.m.

Meeting reconvened: 9:56 p.m.

Supervisor Cardinale: "And reopen the town board meeting and we have resolutions 885 to 922. Could you start calling them, please."

Resolution #885

Councilman Dunleavy: "Ratifies Maurice Goldman open space budget adoption. So moved."

Councilman Bartuenk: "And seconded."

Supervisor Cardinale: "Moved and seconded. Moved and seconded. Vote please."

The Vote: "Bartunek, yes; Dunleavy, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #886

Councilman Bartunek: "Phil, the-- discussion I don't know what this is for. We didn't discuss I don't think. Chapter 96?"

Supervisor Cardinale: "Yeah, this is 307 Griffing. Is this-- no, we didn't discuss this and, of course, Leroy isn't here. But I believe it is-- Griffing Avenue, I believe it might be the Court Restaurant. However, it would be nice to know, wouldn't it?"

Councilman Densieski: "Right, Phil."

Supervisor Cardinale: "Yeah. It's the Court Restaurant. We're asking that it be cleaned up. Okay."

Councilman Bartunek: "307 Griffing Avenue, Chapter 96 budget adoption. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Yes. Moved and seconded. May we have a vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #887

Councilwoman Blass: "It's a budget adjustment in connection with the residential elderly emergency home repair fund. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek; yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #888

Councilman Densieski: "Town of Riverhead business improvement district budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #889

Councilman Dunleavy: "Town of Riverhead water district budget adjustment. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #890

Councilman Bartunek: "Authorizes the Supervisor to enter into an agreement with the Riverhead Business Improvement District Management Association, Inc. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #891

Councilwoman Blass: "Ratifies the Supervisor's execution of an agreement with the New York State Energy Research and Development Authority. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #892

Councilwoman Blass: "Authorizes the attendance of one police officer to the 113th annual IACP conference. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #893

Councilman Densieski: "Ratifies the attendance of one police officer to the Colonel Henry F. Williams Homicide Seminar. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #894

Councilman Dunleavy: "Authorizes the publication of a help wanted ad for a part time sign inspector. So moved."

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #895

Councilman Bartunek: "Authorizes the publication of a help wanted ad for an account clerk typist. So moved."

Councilwoman Blass "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #896

Councilwoman Blass: "Authorizes the publication of a help wanted ad for community development administrator. So moved."

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #897

Councilman Bartunek: "Ratifies the provisional appointment of water treatment plant operator IIB in the water department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yes. This was the recommendation from the personnel committee?"

Councilwoman Blass: "That's correct."

Supervisor Cardinale: "Okay, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #898

Councilman Densieski: "Appoints automotive equipment operator in the highway department. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #899

Councilman Dunleavy: "Accepts resignation of an account clerk typist and we'll miss her in the police department. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass."

Councilwoman Blass: "Yes. I'd like to thank Janice and wish her well."

The Vote (Cont'd.): "Densieski, yes; Cardinale."

Supervisor Cardinale: "I'm voting yes. I would like to thank Janice. I spoke to her in an exit interview and she's going over to the Wading River school district. I wish her the best there."

Councilman Densieski: "Yeah, Mr. Supervisor, I'd like to discuss one of the resolutions that we just passed because I thought this was taken care of but it might not be."

Supervisor Cardinale: "Sure. What number is it?"

Councilman Densieski: "The 897, the water treatment plant operators."

Supervisor Cardinale: "Yes."

Councilman Densieski: "Okay."

Councilwoman Blass: "It was done."

Councilman Densieski: "It is done. Okay, I apologize. I'm sorry."

Supervisor Cardinale: "Yeah, that's— everybody's happy with that. Okay."

Barbara Grattan: "And you voted yes?"

Supervisor Cardinale: "I voted yes."

Barbara Grattan: "The resolution is adopted."

Resolution #900

Councilman Bartunek: "Appoints Charles Setas (phonetic) to the Riverhead Open Space/Park Preserve Committee. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yes. It will be like old times having Charlie here. Like when he was with the North Fork Environmental."

Barbara Grattan: "The resolution is adopted."

Resolution #901

Councilman Bartunek: "Appoints Mary Lamont to the Riverhead Conservation Advisory Committee. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #902

Councilman Dunleavy: "Appoints member to the Industrial Development Agency. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #903

Councilman Bartunek: "Hey, here's a good one. Designates October 21, 2006 Riverhead Stop Litter Day. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes and we need all the help, come out and pick up the litter."

The Vote (Cont'd.): "Bartunek, yes; Blass."

Councilwoman Blass: "Phil, there will be donuts in the morning so you may want to come."

The Vote (Cont'd.) "Densieski."

Councilman Densieski: "Yes. I think every day should be Stop Litter Day. Yes."

The Vote (Cont'd.): "Cardinale."

Supervisor Cardinale: "Yes. Stop Litter Day with donuts."

Barbara Grattan: "You're there. The resolution is adopted."

Resolution #904

Councilman Bartunek: "Authorizes the town supervisor to execute the attached memorandum of understanding with Riverhead Central School District for the purpose of administration of the grant awarded by the New York State Division of Criminal Justice Services. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Bartunek, yes; Dunleavy, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "I'm going to vote yes. This is an

\$11,000 grant in conjunction with the School District. We assisted them in getting it. It's for Council for Unity, an anti gang program at the Middle School.

This is a program that's really exciting and in fact they're having a meeting- they're having now a community council for unity group to try to implement the same principles within the community that are being implemented within the Middle and High School. And it's had real success so stay tuned. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #905

Councilman Densieski "Authorizes the town clerk to publish and post notice of public hearing special permit of James Blakeney. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #906

Councilwoman Blass: "Accepts the cash security of McGann Mercy Diocesan High School. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #907

Councilman Dunleavy: "I just want to amend- it says Central Suffolk Hospital. Actually it's Peconic Bay Medical Center. And as amended waives the performance bond requirement pursuant to 108-133(I) of the town code for Peconic Bay Medical Center. So moved."

Supervisor Cardinale: "Yeah. And it's interesting but you're

right, John. It should read I think Riverhead Hospital Association d/b/a Peconic Bay Medical Center formerly known as Central Suffolk Hospital. Okay? They reversed it. So with that correction, you're offering it?"

Councilman Dunleavy: "Yes."

Councilman Bartunek: "And I'll second it as amended."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #908

Councilman Bartunek: "A question about this one. If you look at the third paragraph, correct me if I'm wrong, the town of Riverhead is accepting the \$2,550 from-- it's the other way around, right? I just want to-- "

Councilman Densieski: "Maybe not. Let's see."

Supervisor Cardinale: "(inaudible) the town of Riverhead will- "

Councilman Densieski: "It says accept, right."

Councilman Bartunek: "He's not paying us for an old (inaudible) generator."

Supervisor Cardinale: "Well, I don't want to change it but he's taking it away and paying us. Why argue? Is that not possible? Do you know the bid situation on this?"

Barbara Grattan: "No, I don't."

(Some inaudible discussion)

Councilman Bartunek: "Can we just clean this up tomorrow? Find out- we can't pass a resolution, I guess."

Supervisor Cardinale: "Well, I think what this is saying is that he can take it away, pay us 2550 and we're happy."

Councilman Densieski: "Let's pass it as written."

Supervisor Cardinale: "I like it like that."

Councilman Densieski: "And if we have to amend it later, we will. But this way we'll collect it."

Supervisor Cardinale: "Okay. So- "

Councilman Bartunek: "Awards bid-- awards bid for sewer district generator removal contract. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #909

Councilman Densieski: "Authorize the town clerk to publish and post public notice of public hearing to consider a proposed local law to amend Chapter 108 entitled Zoning Handicapped Access Ramp Permit Fees of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #910

Councilwoman Blass: "Awards portion of bid for water service materials for use by the Riverhead Water District and authorizes town clerk to publish and post notice to bidders. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #911

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice of public hearing to consider a proposed local law to amend Chapter 12 entitled Coastal Erosion Hazard Areas of the Riverhead town code. So moved."

Councilwoman Blas: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #912

Councilwoman Blass: "This is an order calling for a public hearing extension #71 for the Riverhead Water District for the Country Trails subdivision. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #913

Councilman Densieski: "Awards bid for Splish Splash water park, Riverhead Water District. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #914

Councilman Dunleavy: "Authorization to publish advertisement for two kiosk interactive computer terminals. So moved. And these are going to be bought on a grant."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #915

Councilman Densieski: "Authorizes the Chairman to negotiate contracts with the Long Island Housing Partnership and New Age Builders, Inc. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "I vote yes and I'm pleased to see that we're going to be doing nine affordable homes which will be between \$150,000 and \$175,000 and if you have income for one person of \$50,000 to number household eight \$96,000, stay tuned and apply."

Barbara Grattan: "The resolution is adopted."

Resolution #916

Councilwoman Blass: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code Section 101-10 Parking Prohibited. So moved."

Councilman Bartunek: "And I'll second this. This puts the saga of Reeves parking finally to rest"

Supervisor Cardinale: "I hope you're right."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #917

Councilman Bartunek: "Adopts a local law amending Chapter 58 entitled Dogs of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #918

Councilman Dunleavy: "Ratifies approval of Chapter 90 application of Darkside Productions Inc. the haunted house on 25A. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #919

Councilman Densieski: "Approves the application of fireworks permit of Barone Visco Fireworks at the Fox Hill Country Club. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yes. This is October 8th at 8:30."

Barbara Grattan: "The resolution is adopted."

Resolution #920

Councilwoman Blass: "Authorize- "

Supervisor Cardinale: "P.M. That's in the evening."

Councilwoman Blass: "Thank you for that clarification."

Supervisor Cardinale: "They work better in the dark."

Councilwoman Blass: "Authorizes and endorses the submission of a grant application to the New York State Environmental Facilities Corporation. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #921

Councilman Dunleavy: "Authorizes the supervisor to execute lease for park and recreation facilities. So moved."

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #922

Barbara Grattan: "922 is Bills. Councilman Densieski."

Councilman Densieski: "So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #923

Barbara Grattan: "Now we've got 923."

Supervisor Cardinale: "This one here? Okay, you have it?"

Councilwoman Blass: "Advance of deposit for purchase of development rights from Shirley Edwards to the town of Riverhead. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote please."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Barbara Grattan: "And thank you town board, there are no resolutions (inaudible)."

Supervisor Cardinale: "Oh, good. We have a stellar evening."

Councilman Densieski: "This is the first time that every resolution went through unanimously."

Supervisor Cardinale: "A unanimous evening as well. Let me-- all the resolutions are unanimous."

Councilman Densieski: "Wait 'til next meeting."

Supervisor Cardinale: "Yeah, wait 'til next meeting. We would like to go home but we will take any general comment that anybody has other than Sandra. I said we would take any comment that you have."

Sandra Mott: "Oh, yeah? Okay. Fine. This is the only reason I came here."

For years I've been asking about the intersection of Route 58 and the entry onto-- from Glenwood Village. And the stupidity of it is that we still do not have any kind of a light or any kind of control over the traffic flow. I left a letter, several letters and correspondence from the Department of Correspondence with Chris on September 21st and it was based on the Route 58 corridor study which was a joke and a half that I attended. And I wrote to them a lengthy letter which I also sent to you all. Mr. Dunleavy might not have it because he's new to the scene but it should be somewhere in the records. And Chris should have it in his file, his current file, he was going to get back to me.

I just wanted to put on record the fact that correspondence has been made back and forth, we're talking years now, and it took them years for them to do their little traffic study. I think it's \$10,000 to \$15,000 a whack and they ironically found that we did not have enough cars going out of Glenwood onto 58 but, of course, they did it in the middle of January when a lot of people are on vacation and we don't have the kind of traffic flow in and out as we normally would during a warmer part of the year.

Coupled with the fact that we weren't even on the map at that corridor study. I said so where is Glenwood? And they said, what are you talking about? So it's all in the letters. You can all (inaudible). I'm just bringing it to the attention that I want it on record, public record, that this information has been provided to you and it was back and forth for many years and I find it unacceptable for two reasons.

One, all you have to do is try to get in and out, to make a right or a left, it doesn't matter. Mr. Dunleavy and anyone else who's tried to do that would find that, coupled with the fact that across the way where the mini golf course location is, they're having that big development now or doing something else, ripping down more trees. I don't know what they're putting some sort of a complex over there instead of the two restaurants, whatever they were going to put in.

And according to their comments in the newspaper, 50,000 cars go by Route 58 a day. That's to gain tenants to come in.

Now I know you don't live there and I know you don't care about this fact, but I do since I do live there and many other people do, seniors, I don't find anything repeating myself as much on, I don't even want to be here at all, but this is why I came.

What are you going to do about it and when are you going to do it? Because there's a simple solution and if you don't want to put lights, you can put in a rotary. It would be easier, cheaper and you can follow the direction of the Westhampton Beach rotary that's brand new and actually I think Ed mentioned it at one time, and it's not even maintained, you don't have to maintain it. It's mostly brick, cobblestone, brick or cobblestone, bushes in the middle. You have to do something.

That intersection is horrendous. The lights at that intersection really don't direct traffic. It's like chronic, chronic accidents and the last I heard, someone went flying off their motorcycle and made a

big stink about it and they were told that (1) when Stop N Shop, another bad idea of being placed there at that intersection of Mill and 58, when that comes in, it's going to be placed. Then another person told me, a different council person said when PC Richards is going to be put in which would be to the west of the entry, now it's either PC Richards or Stop N Shop or it's never going to happen. Something has to be done there."

Councilman Dunleavy: "Well, I think that- and I go into there a lot because I have friends that live over in Glenwood. But I use the Mill Road entrance and exit- "

Sandra Mott: "Yeah, yeah."

Councilman Dunleavy: "Because that does have a caution light and you can get in and out of there with less traffic."

Sandra Mott: "I've heard that explanation. But those of us who don't live at that part of the park would like to exit where we are living but even going that route, it's very hilly, it's blind and at some point there was supposed to be a traffic light being put- I don't know is it TJ or JT Road or something like that. Or one of those other intersections. Well, that's never happened because then that would be an option. We could get out more safely. But there are multiple entries and exits on Mill Road as well where people do make mistakes and come in the exit and vice versa. So that's not really a solution.

The solution is that now that they're not going to do anything with 58 because that was everybody's claim to fame. Oh, they're going to do this by such and such a year and now there's no money to do that. It's really ridiculous but I'm just putting on record that our lives are in your hands like I said to the Department of Transportation.

The guy came out, he stood there with me, watched the traffic and they go very quickly. That turn lane is nothing but a separate lane for people who want to come up from the LIE straight down. They turn their blinker on at Kroemer and continue down.

This is not news, you've heard it before. You think it's a joke. I don't. I'm just saying get the information from Chris to put it on record through Mrs. Grattan, I would appreciate it, and if you could let me know, Mrs. Grattan, if that doesn't happen, I'll make another copy for you. Because it has to be on file, on record with the town

that you have been formally advised- you have been formally advised more than once. And I'll be happy to do that again because that's probably the only way it's going to happen.

My other concern is that I keep hearing about the pound. I didn't understand what you were going to be doing about the dogs and that one resolution. I'm not even going to ask anymore. But in the past and, again, this is my common mantra, within walking in I was told about a cat issue and two days ago, three days ago, I was told each of the past couple of days of another abandonment of a cat.

By the way, how's Tiger Woods? Is he still alive?"

Supervisor Cardinale: "Still alive and kicking."

Sandra Mott: "Is he? Good boy. Nice to hear that. I meant to ask you that along time ago. But something has to be done to help the cats and if you're not going to do it- I don't want it at that pound. That pound is a horror show. Just do it through one of the vets and pay them. That would be simpler.

But in relationship to the pound, I was watching and you were talking about the dump, another fiasco, and the fact that the guy was talking about methane being combustible which obviously it is since they're selling it in the mid-west to run cars. And the fact that it migrates and Barbara asked is that lateral. Yes, it is lateral and I talked about that years ago when you didn't want to go on the sympathetic right thing to do for the pound, and I went to Mrs. Grattan's office and the ladies there were kind enough to pull the study out of the dump up there and the highest points and I've been through this more than once, that it's very accessible. If I can find it, you can find it. As to just how large an area that dump was originally, you can take one of those helicopter rides and figure it out as to how- I cannot believe you screwed this up so royally with the dump.

But the bottom line is and I'm not even saying you screwed it up. I'm talking Young & Young screwed it up and I'm sure you should sue them royally for all the monies you've expended on this fiasco. Howie needs to be taught a lesson because he did it at the end of Jamesport with the - in incomplete or incorrect information on that one house and that went back and forth and back and forth. And now you have him doing it with the dump that affects the entire town.

That methane does migrate and the highest points were closest to

the pound on the other side of the river. Plus you had a methane factory. I only learned this by reading the stuff that was in Mrs. Grattan's office. This is not, you know, I didn't make this up. I went in to look to say to you, please, do the right thing for the animals. They were getting rashes and were very irritable, not to mention the workers and the volunteers, etc.

And still nothing's been done for the animals and nothing's been done in regard to the methane that's probably emanating and coming up into the facility. You have major issues that could have been resolved more easily. And it's like extremely frustrating. I haven't been back for a number of reasons and one is it's very tiring to say the same thing. Because when you rely on you all to do things and I believe you that you are, and then it doesn't happen, and then it's a repeat performance once again.

It's like not only insulting, it's like expensive. You're costing the town an arm and a leg here for a fiasco. I think you should sue the appropriate parties and I'm mentioning Howie's name as a responsible man who did the appraisal or did the survey or whatever. He must have insurance and that's not a— that is not an affront to Howie and Young & Young. That is the fact that if he is professionally going to provide you with misinformation on more than one occasion, then he needs to be brought— I mean they sue us on a regular basis everybody. Reverse the process. Because it, you know, things to explode. And you said, Ed, what's the problem with it being so low and the guy said well, it's combustible. But also with the capping it could make it even more so. You've got a real issue here. And I'm just gleaning this from listening to you all on TV. I'm not reading your reports, I'm not reading your surveys. I'm not coming to these work sessions and stuff, one, because I can't stomach it anymore, and, two, because it's very frustrating."

(At this time, the CD ended)

Meeting adjourned: 10:30 p.m.

Barbara Grattan
Cour Clerk